



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-26907-2024(O&M)
Date of Decision:- 18.07.2024

NAREBDER @ NARENDER YADAV

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Prashant Singh Chauhan, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

Mr. Vipin Pal Yadav, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

Status report dated 11.07.2024 already filed in the form of an affidavit of Deputy Superintendent of Police, H.Q. Rewari, District Rewari, is ordered to be taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
147	04.05.2024	420, 406 and 120-B IPC	Dharuhera, District Rewari, Haryana.

3. Learned counsel for the petitioner has submitted that in



compliance to the order dated 27.05.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

4. Learned State counsel, on instructions from Inspector Jagdish Chand has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

5. Learned counsel for the complainant has opposed the petition and submits that keeping in view the gravity of offence, the petitioner is not entitled for the concession of anticipatory bail.

6. Heard.

7. During the course of hearing on 27.05.2024, the following order was passed:-

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the complainant had tried to convert a time barred claim into a criminal litigation just to pressurize the petitioner who has no concern whatsoever with the alleged transaction. He contends that the dispute between the complainant and the co-accused happens to be qua the mortgage deed dated 27.02.2013 whereby Rs. 15.00 lacs were taken by the complainant from Zile Singh and as per the allegations the said Zile Singh on the pretext of extension of mortgage deed got executed a sale deed dated 16.07.2014 from the complainant in favour of his wife Kamla. He contends that the petitioner is neither the signatory nor witness to the said document nor is he any beneficiary thereof but has been falsely implicated in this case without there being any specific overt act qua him.

3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.



5. Adjourned to 18.07.2024.

6. Mr. Vipin Pal Yadav, Advocate, has entered appearance on behalf of the complainant and filed his memo of appearance to assist learned State counsel in the matter. The same is taken on record.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite.

8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

8. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 27.05.2024 passed by this Court, interim bail granted vide order dated 27.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

9. The petition stands allowed.

(SANJIV BERRY)
JUDGE

18.07.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |