



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-29408-2024

Date of decision: 14.08.2024

Girish Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Mr. Varun Sharma, Advocate and
Mr. Harneet Sandhu, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.100 dated 08.05.2024 under Sections 420, 408 of the Indian Penal Code, 1860, registered at Police Station Division 8, District Police Commissionerate Jalandhar.

2. On 05.06.2024, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case at the behest of the complainant; the petitioner has no other criminal antecedents; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the same raises only a civil dispute; the complainant has got lodged the present criminal case against the petitioner only because the petitioner had raised a dispute regarding payment of salary to him and that the petitioner is also ready and willing to join the investigation as and when called by the investigating

agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 05.06.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Rajinder Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. However, learned counsel appearing for the complainant has opposed the prayer made by counsel opposite for extending the concession of anticipatory bail to the petitioner by arguing that he was a marketing agent of the complainant company and had duped them of an amount of Rs.7 lakhs.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. Once the petitioner has joined investigation and cooperated with the investigating agency, and as submitted by learned State counsel on instructions that the custodial interrogation of the petitioner is not required in the instant case, the petition is allowed and interim order dated 05.06.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

14.08.2024

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No