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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM-M-29685-2024****DATE OF DECISION: 12.06.2024****AMIT KUMAR JAISWAL****...PETITIONER****Versus****STATE OF HARYANA AND ANR ... RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Manoj Kaushik, Advocate for the petitioner(s).

Mr. S.S. Pannu, Addl. A.G, Haryana.

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**SANDEEP MOUDGIL, J (ORAL)**

1. The jurisdiction of this Court has been invoked under Section 438 of Cr.P.C., for grant of anticipatory bail in case FIR No.25 dated 26.02.2024 registered under Sections 420 IPC at Police Station Cyber Crime, NIT, District Faridabad.

2. Learned counsel for the petitioner submits that the instant FIR has been lodged just to create pressure whereas there was no intention to deceit or cheat upon the complainant. It is his further contention that the complainant has now been compensated by way of demand draft bearing No. 527270 dated 24.05.2024 issued by the Federal Bank Limited for an amount of Rs. 50,000/- and settlement has entered into between the parties on 28.05.2024 (Annexure P-3).

3. Notice of motion.

4. On the asking of Court, learned State Counsel appearing on advance notice, accepts notice on behalf of respondent-State and on



instructions from Investigating Officer opposes the prayer for grant of bail stating that the petitioner is guilty of commissioning of serious offence wherein three other mobile phones have also been recovered from him which are used by him in the commissioning of the offence. He urges that his custodial interrogation is must for the purpose of further reaching to the trail and modus operandi being used by him and also to ensure about the groups working in the present scenario related to the cyber crime which is on the rise.

5. After having heard learned counsel for the parties and giving thoughtful consideration in the instant case that the petitioner has entered into the compromise with the complainant and on that account has paid Rs. 50,000/- by way of demand draft, added with the fact that the articles in the form of mobile phones and laptop already stand recovered, this Court is of the considered view that custodial interrogation is not necessary for the investigating agency but the purpose would be served as has been argued by the learned State Counsel by investigating, for which the petitioner has given his willingness to join the investigation as and when called for and to cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

6. Hence, in view of the admitted set of circumstances before this Court, the petitioner is directed to be released on anticipatory bail subject to his joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing



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of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

7. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

8. The petition in the aforesaid terms stands disposed off.

(SANDEEP MOUDGIL)  
JUDGE

12.06.2024  
anuradha

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |