



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-29728-2024
Date of decision: 14.08.2024

Manish KumarPetitioner.

Versus

State of HaryanaRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Padamkant Dwivedi, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, DAG, Haryana.

Ms. Jasleen Kaur Chhibber, Advocate,
for Mr. Ankur Lal, Advocate,
for the complainant.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C,
the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
0355	11.10.2023	420, 120-B IPC	Sector 65, Gurugram, District Gurugram

2. Learned counsel for the petitioner submits that in
compliance to the order dated 17.07.2024, the petitioner has joined the
investigation.



3. During the course of hearing on 17.07.2024, following order has been passed: -

‘Learned counsel for the petitioner, inter alia, contends that the petitioner has no concern whatsoever with the alleged transaction and simply because he happens to be one of the employee of the company, as per the appointment letter (Annexure P-2), a cheque amounting to Rs.1 lakh had been received by him from the complainant on behalf of the company, amount of which was subsequently disbursed. He submits that the petitioner is neither the beneficiary nor signatory to any documents on the basis of which the instant FIR has been registered. He further submits that the petitioner had earlier been granted the concession of interim anticipatory bail by learned Additional Sessions Judge, Gurugram vide order dated 04.03.2024 (Annexure P-4), however, later on, the bail was declined on the plea raised by the State that the petitioner has not produced his salary certificate. He further submits that the Director-owner of the Company is already in custody. The petitioner is not having any criminal antecedents and is ready to join investigation.

2. Learned State counsel while referring to the reply submitted by the State has opposed the bail petition by arguing that the petitioner had received a cheque of Rs.1 lakh from the complainant, therefore, has actively participated in the transaction, however, the factum of petitioner being granted interim anticipatory bail vide Annexure P-4 has not been disputed.

3. Be that as it may, without commenting on the merits of the case, the petitioner is hereby directed to join



investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall 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.

4. List on 14.08.2024'

4. Learned State counsel on instructions from SI Vijay, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. 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 17.07.2024 passed by this Court, interim bail granted vide order dated 17.07.2024 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.

6. The petition stands allowed.



7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

14.08.2024
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(SANJIV BERRY)
JUDGE

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