

CRM-M-30189-2024
Decided on: 25.07.2024

Versus

State of Haryana ...Respondent

Present: Mr. Pardeep Virk, Advocate and
Mr. Kamaldeep Shera, Advocate for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana.

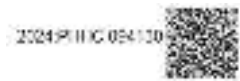
ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
12	06.04.2024	ACB(H), Gurugram	384 IPC and 7 [later on added 13(1)(b) r/w 13(2)] of Prevention of Corruption Act 1988

1. The petitioner, incarcerated upon his arrest in the FIR captioned above, had come up before this Court under Section 439 CrPC seeking regular bail.

2. On 11.07.2024, this Court granted interim bail to the petitioner and one of the reason for granting bail was that the petitioner had voluntarily agreed to declare his and his wife's assets, which was mentioned in para 13 of the bail order. On 18.07.2024, petitioner sought time to comply with the order dated 11.07.2024 and petitioner was granted time with a direction to appear before this Court.

3. Petitioner's counsel submits that in compliance to the previous order dated 18.07.2024, petitioner is present in the Court. He further submits that they had handed over the affidavits to the Investigator and voluntarily complied with the order of declaring assets and it is submitted that they shall not claim such declaration as self incrimination, violation of Article 20/21 of Constitution of India or any other fundamental right/law. The investigator may verify such assets if required and proceed in accordance with law, if any anomalies found. The concerned investigator is further directed to forward one original copy of the affidavit to the petitioner's employer within two weeks from today. He further submits that further pre-trial incarceration would



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cause an irreparable injustice to the petitioner and family.

4. The State’s counsel does not dispute the contention made by counsel for the petitioner, however opposes the bail.

5. Facts of the case have already been mentioned in detail in the order dated 11.07.2024.

6. I have gone through the record and heard counsel for the parties at length.

7. Given the facts and circumstances peculiar to the case coupled with the fact that petitioner had voluntarily declared assets and considering the amount involved, nature of allegations and also the period of custody which is approximately 3 months, there would be no justification for further pre-trial incarceration.

Petition is allowed. Interim order dated 11.07.2024, is made absolute. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

25.07.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.