

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-M-31590-2024 (O&M)
Date of Decision:- 30.07.2024

SUBHASH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Narender Kaajla, Advocate for the petitioner.
Mr. Surender Singh, AAG Haryana..

SANJIV BERRY, J. (ORAL)

Status report dated 20.07.2024 filed in the form of an affidavit of Deputy Superintendent of Police, HQ Fatehabad, District Fatehabad, is 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 (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
225	30.05.2024	419, 420, 465, 467, 468, 471, 120-B of IPC	City Fatehabad, District Fatehabad

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 05.07.2024 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 ASI Birbal 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. Heard.

6. During the course of hearing on 05.07.2024 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 petitioner has no concern with the alleged transaction nor he has any concern with the other accused. He contends that the petitioner has been nominated on the alleged disclosure statement of Sachin with whom the petitioner has no concern. He contends that as per the case of the prosecution Rajpal, grandfather of the accused, namely Rohit, is alleged to have paid Rs. 10,000/- to Sachin and Rs. 20,000/- to the petitioner for procuring fake surety for Rohit. He further contends that, however, upon interrogation the said Raj Pal has never named the petitioner.

3. Notice of motion.

4. On the asking of the Court, Mr. Surender Singh, AAG, 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 30.07.2024.

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

7. 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.”

7. 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 05.07.2024 passed by this Court, interim bail granted vide order dated 05.07.2024 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.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

30.07.2024
S.Sharma(syr)

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