



CRM-M-31893-2024 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-31893-2024

Date of decision: 25.07.2024

SANDEEP YADAVPetitioner

Versus

STATE OF HARYANARespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Deepender Pratap Singh, Advocate for
Dr. Pankaj Nanhera, Advocate for the petitioner.

Ms. Gaganpreet Kaur, DAG Haryana.

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SANJIV BERRY, J. (ORAL)

Reply dated 20.07.2024 in the form of an affidavit of Deputy Superintendent of Police, Detective, Hisar, has been filed. The same 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 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
223	14.06.2024	420, 467, 468, 471 IPC	Civil Lines, District Hisar, Haryana.

3. Learned counsel for the petitioner submits that in compliance to the order dated 08.07.2024, the petitioner has joined the investigation. Learned State counsel while referring to the reply has admitted that the petitioner has joined the investigation but submits that as per the reply the



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custodial interrogation of the petitioner is required. From perusal of the reply no justification is there for custodial interrogation of the petitioner once he has already joined the investigation.

4. During the course of hearing on 08.07.2024, following order had been 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 due to some rivalry in the area. He contends that the alleged certificate dated 01.04.2023 (Annexure P-2) had been issued by the concerned Chartered Accountant to the petitioner on the basis of which he had applied for tender. He contends that the said Chartered Accountant never raised any objection but the instant FIR had been registered on the complaint allegedly made by her father. He contends that the petitioner had not got any unlawful gain by using this document as another Chartered Accountant had already issued the certificate (Annexure P-3) dated 28.02.2024 qua the same turnover of the petitioner. He further contends that the petitioner is not having any other criminal case registered against him and is ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the Staterespondent and does not dispute the factual matrix of the case. She prays for time to file the status report/reply in the matter.

5. Adjourned to 25.07.2024.

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.”*

5. As stated, since the petitioner has already joined the investigation consequent to the order dated 08.07.2024 passed by this Court, interim bail granted vide order dated 08.07.2024 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.

25.07.2024
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(SANJIV BERRY)
JUDGE

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