



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-33055-2024(O&M)
Date of Decision:- 25.07.2024

SANJAY KUMAR

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sunil Sihag, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

SANJIV BERRY, J. (ORAL)

Status report dated 23.07.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Nuh 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-3) as under:

FIR No.	Dated	Sections	Police Station
270	31.12.2022	420, 467, 468, 471 and 120-B IPC	Rozka Meo, District Nuh (Mewat)

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 12.07.2024 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 SI Ramesh 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 12.07.2024, the following order was passed:-

“The learned counsel for the petitioner inter alia contends that the petitioner was an ABPO and joined only after 05.07.2021 and all the MGNREGA workers were enrolled in March 2021, though, the payments were released to them only in September/October 2021. Virender Singh-BDPO was granted the concession of anticipatory bail vide order dated 01.09.2023 (Annexure P-5) and the Panchayat Secretary-Sunder Singh was also granted the concession of interim bail vide order dated 17.05.2023 (Annexure P-6), though as, he did not join the investigation, his bail application was dismissed. He, therefore, contends that the case of the petitioner being on a better footing, he is entitled to the concession of anticipatory bail.

Notice of motion for 25.07.2024.

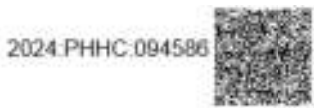
Ms. Gaganpreet Kaur, DAG, Haryana, present in the Court, accepts notice on behalf of the State.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without



*prior permission of the Court and shall surrender his passport, if any.
Meanwhile, the State is directed to file an affidavit/reply as to the exact role of the petitioner and his co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.”*

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 12.07.2024 passed by this Court, interim bail granted vide order dated 12.07.2024 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

25.07.2024
S.Sharma(syr)

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