



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-35168-2024

Date of decision: 27.08.2024

PANSURIYA NIKUNJKUMAR LAKHMANBHAI ...PETITIONER

Versus

STATE OF HARYANA

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Satyaveer Singh, Advocate for
Mr. Nikhil Kapoor, Advocate for the petitioner.

Ms. Gaganpreet Kaur, DAG, Haryana.

SANJIV BERRY, J. (ORAL)

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
39	28.03.2024	420, 120-B and 204 of IPC	Cyber Crime Central, District Faridabad (Haryana).

2. Learned counsel for the petitioner submits that in compliance to the order dated 08.08.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 08.08.2024.

3. Learned State counsel, on instructions received from PSI Pawan Tomar, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.



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4. During the course of hearing on 08.08.2024, following order was passed:

“ 2. Learned counsel for the petitioner submits that the role of the petitioner is at par with co-accused Harshad Ghanshyambhai Savaliya, who has been granted interim anticipatory bail by this Court vide order dated 29.07.2024 passed in CRM-M-32151-2024.

3. He contends that the petitioner along with aforesaid co-accused and one Tarpasiya Miteshkumar Rameshbhai have been nominated on the basis of disclosure statement made by one Vishal Rameshbhai Gelani and has nothing to do with the alleged transaction. He submits that the petitioner is neither the beneficiary nor any amount has been transferred in his account and has been falsely implicated in the case.

4. Learned State counsel has not disputed the factum that the case of the petitioner is at par with co-accused Harshad Ghanshyambhai Savaliya, who has since been granted interim anticipatory bail by this Court.

5. Keeping in view the facts and circumstances, without commenting on the merits of the case, it is deemed appropriate that the petitioner should join the investigation first, before deciding the petition on merits. Accordingly, 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.

6. List on 27.08.2024. ”



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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 08.08.2024 passed by this Court, interim bail granted vide order dated 08.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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.

(SANJIV BERRY)
JUDGE

27.08.2024
kanika

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