



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

CRM-M-51465-2024

Date of decision: 02.12.2024

VIPIN DAGAR

...PETITIONER

Versus

STATE OF HARYANA

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Shashi Kumar Yadav, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of Cr.P.C.,
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
26	26.02.2024	420, 467, 468, 201 and 120-B of IPC	Cyber Crime, NIT, Faridabad, District Faridabad.

2. Learned counsel for the petitioner submits that in compliance to the order dated 22.10.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 22.10.2024.

3. Learned State counsel, on instructions from ASI Balwant, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 22.10.2024, 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 been



CRM-M-51465-2024

2

neither named in the FIR nor any specific overt act is attributed to him. He contends that as per the allegations, the phone number of Jatin Dagar, brother of the petitioner, was used in the alleged transaction who has since been granted the concession of bail vide order dated 01.06.2024 passed by learned Judicial Magistrate Ist Class, Faridabad, titled as 'State vs. Jatin Dagar and ors' (Annexure P-4). He contends that the petitioner is not having concern with the case but has been nominated simply because of the fact that he happens to be the brother of the said Jatin Dagar, although the petitioner has nothing to do with the alleged transactions.

3. *Learned counsel for the petitioner further contends that the arrest of his co-accused, namely Nikhil Madaan, had been stayed vide order dated 20.092024 passed in CRM-M-47055-2024, titled as 'Nikhil Madaan vs. State of Haryana' (Annexure P-6). He contends that there is no other criminal antecedents against the petitioner and he is ready to join investigation. Hence, the instant petition.*

4. *Notice of motion.*

5. *On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and submits that she has received the blank pairvi report, however, she prays for time to file the status report/reply in the matter.*

6. *Adjourned to 13.11.2024.*

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

8. *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 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS).*

CRM-M-51465-2024

3

9. *Let the Commissioner of Police, Faridabad, to take appropriate action against the erring officials in sending the blank pairvi report to the State counsel, under intimation to this Court well before the date fixed.*
10. *Investigating Officer (concerned) to remain present in Court along with relevant records on the date fixed.”*

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 22.10.2024 passed by this Court, interim bail granted vide order dated 22.10.2024 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

02.12.2024

kanika

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No