

CRM-M-44071-2023
Date of decision: 28.02.2024

Versus

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Mr. Surender Singh, AAG, Haryana

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SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
211	30.05.2023	420, 506, 34 IPC (467, 468 and 471 IPC added lateron)	Sadar Sonipat, Haryana

2. Learned counsel for the petitioners submits that in compliance to the order dated 04.09.2023, the petitioners have joined the investigation.

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3. During the course of hearing on 04.09.2023, following order has been passed: -

‘Inter alia contends that petitioners are not the beneficiaries in the present case. It was complainant and her husband who asked the petitioners to make payment to co-accused. No cheating has been committed by the petitioners. They have thus been falsely implicated.

Notice of motion.

On advance service of copy of petition, learned State counsel appears and accepts notice on behalf of the respondent-State of Punjab and seeks time to file a report.

Adjourned to 16.11.2023.

In the meanwhile, petitioners shall join investigation, as and when required by the Investigating Agency and subject to their reporting to the Investigating Officer within two weeks from today, no coercive steps qua arrest of the petitioners shall be taken. In case, their arrest is required to be caused, petitioners shall be released on bail by the Arresting Officer till the next date of hearing on their furnishing personal bonds to the satisfaction of Arresting Officer. Petitioners shall also abide by all the conditions as envisaged under Section 438 (2) Cr.P.C.’

4. Learned State counsel on instructions from SI Ramesh, informs the Court that the petitioners have joined the investigation and are neither required for further investigation nor for any custodial interrogation.

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5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners had joined the investigation consequent to the order dated 04.09.2023 passed by this Court, interim bail granted vide order dated 04.09.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioners are 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 petitioners; they 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.

28.02.2024
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(SANJIV BERRY)
JUDGE

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