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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-42303-2024 (O&M)
Date of Decision:- 29.11.2024

SANJEEV KUMAR

Versus

...Petitioner(s)

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Dr. Pankaj Nanhera and Mr. Pradeep Duhan, Advocates
for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

1. Action taken report dated 20.11.2023 filed by way of affidavit of Commissioner of Police, Faridabad, is taken on record.
2. Heard.
3. By way of present petition filed under Section 438 CrPC petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
500	10.06.2024	408 IPC	Sector 58, District Faridabad

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 30.08.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the



petitioner may be confirmed.

3. Learned State counsel, on instructions received from SI Devender Kumar 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.

4. Heard.

5. During the course of hearing on 30.08.2024, the following order was passed:-

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner had been working as a Design Engineer with the Firm of the complainant and has resigned from there, a false case was lodged against him which, however, was withdrawn vide Annexure P-6 dated 21.05.2024 by the complainant and on the similar grounds, now the instant FIR has been got registered. He contends that the matter involved is attracting a civil dispute only between the employee and employer and no case of criminal breach of trust arises. He contends that since on the same grounds, the complaint preferred by the complainant, had earlier been withdrawn vide Annexure P-6. He contends that the petitioner is not having any criminal antecedents 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 State-respondent and prays for time to file the status report/reply in the matter.

5. Adjourned to 24.09.2024.

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 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS).”

6. 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 30.08.2024 passed by this Court, interim bail granted vide order dated 30.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

29.11.2024
S.Sharma(syr)

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