

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

204/2

2024:PHHC:044540
CRM-M-45932-2023
Date of decision: April 3rd, 2024

Balwant

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sanchit Punia, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

Mr. Suresh Kumar Kaushik, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.12 dated 07.01.2023 under Sections 120-B, 34, 35, 406, 417, 420, 426, 465, 467, 468, 471 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959 registered at Police Station Hisar Sadar.

2. Vide order dated 14.09.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the present case. He has not been named in the FIR and has been implicated in this case on the basis of disclosure statement of co-accused. The petitioner was only an attesting witness.

It is further submitted that the allegations are against the main accused and as per the version of the

FIR, the main accused are Rambai & her husband Mange Ram and a reference is to their Krishan Kumar. Interim protection was granted to said Krishan Kumar by this Court.”

3. Learned counsel for the petitioner submits that in compliance of order dated 14.09.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Ved Pal, has not disputed the submissions made by the counsel for the petitioner that the petitioner has joined investigation and is not required for custodial interrogation except for the recovery of ₹1,81,33,000/-, which was given in cash to the petitioner.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the above, the petition is allowed and interim order dated 14.09.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

April 3rd, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No