

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-48912-2023

Date of decision: 14.03.2024

Rinku Narwal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rishah Chaudhary, Advocate for
Mr. Aman Pal, Advocate for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Pratham Sethi, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.1007 dated 20.06.2023 under Sections 379, 467, 468, 471, 120-B and 419 of the IPC registered at Police Station Civil Lines, Karnal.

2. On 05.10.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter alia contends that the FIR in question has been registered under Sections 379/419 of the IPC and a perusal of the FIR in question which has been annexed as Annexure P-1 reveals that even the offence under Section 379 of the IPC has not been attributed to the petitioner. It has been further submitted that though the Trial court had granted the concession of interim bail to the petitioner, however, it had been declined only on the ground of “non-cooperation by him”. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 05.10.2023/22.02.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation. She, however, submits that the petitioner has not fully cooperated with the investigating agency inasmuch as he has failed to disclose the complete particulars of one Sandeep who helped him in obtaining the Aadhaar Card of one of the patients. Learned counsel appearing for the complainant has also vehemently opposed the prayer and submissions made by learned counsel for the petitioner in view of the allegations levelled against him.

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

6. Mere non-disclosure of the complete particulars of Sandeep who allegedly helped the petitioner in getting the Aadhaar Card of one of the patients cannot be a ground to order his custodial interrogation if otherwise the petitioner has fully cooperated with the investigating agency.

7. In view of the above, the petition is allowed and interim order dated 05.10.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

14.03.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No