

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.56105 of 2023 (O&M)
Date of decision: 23rd July, 2024

Neeraj Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rakesh Gupta, Advocate for the petitioner.
Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.
Mr. Narender Pal Bhardwaj, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.123 dated 07.03.2022 under Sections 420, 465, 467, 468, 471 and 406 of the Indian Penal Code, 1860 and Section 66 of IT Act, registered at Police Station Mahesh Nagar, District Ambala.
2. On 01.12.2023, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation in the light of following submissions made by learned counsel for the petitioner on 09.11.2023:

“Learned counsel for the petitioner submits that a false and fabricated case has been planted upon the petitioner and that too on the disclosure statement suffered by co-accused Surender Kumar Swami, who has since been extended the concession of interim bail by a



coordinate Bench of this Court vide order dated 28.08.2023.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 01.12.2023, 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 and cooperated with the investigating agency. She has also not disputed that the name of the petitioner surfaced in the disclosure statement allegedly suffered by co-accused, who has also since been extended the concession of interim bail by this Court vide order dated 28.08.2023, which was made absolute vide order dated 01.12.2023. She, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 01.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

July 23, 2024
rps

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