

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

CRM M-58702-2023 (O&M)
Date of Decision: 12.02.2024

Sidhartha Sankar Das

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Puneet Kakkar, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Mr. Sarabjeet Singh, Advocate
for the complainant.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.14 dated 13.05.2023 registered under Section 420 IPC at Police Station, Cyber Police Station, Rohtak.

2. Petitioner is alleged to have cheated the complainant and induced him to part with his money on different occasions through digital mode.

3. This Court vide order dated 21.11.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that petitioner is neither named in the FIR; nor any other criminal case is pending against him.

Notice of motion.

Mr. Kiran Pal Singh, AAG Haryana accepts notice on behalf of respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 17.01.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973."

4. Learned counsel on instructions from petitioner submits that matter has been amicably settled between the parties at their own level i.e. petitioner and the complainant. Also submits that in pursuance of the aforesaid order, he has joined investigation, therefore, his custodial interrogation is not required.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required, at this stage.

6. Learned counsel for complainant admits the factum of compromise.

7. In view of above, interim order dated 21.11.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

10. Disposed off accordingly.

11. Pending criminal misc. application(s), if any, shall also stand disposed off.

12.02.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No