

221-2

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-61782-2023
Date of Decision: 13.03.2024

Kulvinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Ankit Bishnoi, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARSH BUNGER J. (ORAL)

1. Petitioner (Kulvinder Singh) has filed the present petition under Section 438 of the Code of Criminal Procedure seeking grant of anticipatory bail in case FIR No.611 dated 03.08.2023, under Sections 406 and 420 of the Indian Penal Code, registered at Police Station Yamuna Nagar City, District Yamuna Nagar, Haryana.

2. On 08.12.2023, the following order was passed by a co-ordinate Bench of this Court :-

“ By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
611	03.08.2023	406 and 420 IPC	Yamuna Nagar City, District Yamuna Nagar

2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case on the basis of alleged disclosure statement made by co-accused Lalit Kumar. He submits that petitioner has

nothing to do with the alleged transaction and no amount was ever deposited in his account by the complainant. He further submits that there is no other case registered against the petitioner.

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Surender Singh, AAG Haryana present in Court, accepts notice on behalf of the respondent-State and prays for time to file short reply in the matter. He submits that bail petition of the co-accused i.e. CRM-M-59902-2023 is pending before this Court for 13.12.2023.*

5. *To be taken up along with **CRM-M-59902-2023** on the date already fixed i.e. 13.12.2023.*

6. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall 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 438(2) Cr.P.C.”*

3. Learned counsel for the petitioner submits that pursuant to the aforesaid order, petitioner has joined the investigation.

4. Learned State counsel has not disputed the aforesaid fact of joining the investigation by petitioner and submits that his custodial interrogation is not required at this stage.

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, order dated 08.12.2023, passed by a co-ordinate Bench of this Court, is made absolute.

7. However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

8. It is made clear that if the petitioner fails to comply with any of the directions issued above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.

9. Nothing expressed hereinabove shall be construed to be an observation on merits of the case and the facts and circumstances recorded above are only for consideration of the prayer for bail at this stage.

10. Present petition is accordingly disposed of.

11. All pending application(s), if any, shall also stand closed.

13.03.2024

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No