

2024:PHHC:042914
2024:PHHC:043177

Date of decision : 01.04.2024

CRM-M-697-2024

STATE OF HARYANARespondent

CRM-M-815-2024

STATE OF HARYANARespondent

Present: Mr. Ketan Antil, Advocate for the petitioner(s).

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

On 09.01.2024, the following order was passed :-

“These are second petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.161 dated 27.07.2022 under Sections 419, 420, 467, 468, 471 and 120-B of IPC registered at Police Station Sushant Lok, District Gurugram, Haryana.

Learned counsel for the petitioners *inter alia* submits that the petitioners have been nominated for dormant partners in the partnership firm being signatories to the sale deed on behalf of the firm. Learned counsel for the petitioner further submits that it

is a case wherein the final question would be as to whether the petitioners are the victims or the culprits.

Notice of motion for 01.04.2024.

On the asking of the Court, Mr. Gaurav Bansal, DAG, Haryana appears and accepts notice on behalf of the respondent-State.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/ Investigating Officer. As and when called, the petitioners shall join the investigation. shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

Photocopy of this order be placed on the file of another connected case,”

2. Today, Ld. State Counsel on instructions from SI Ajay Pal submits that the petitioners have already joined investigation and are no more required for custodial interrogation.
3. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 09.01.2024 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.
4. This order should not be treated as "blanket" order. It will not be read granting the petitioners indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioners.
6. The petitioners shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act in regard to a discovery of facts made in pursuance of information supplied by the petitioners in case the occasion arises.
7. It will be open to the police or the investigating agency to move this Court for a direction under Section 439(2) Cr.P.C. to arrest the accused(s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
8. Petitions stand disposed off accordingly.
9. A copy of this order be kept on the file of other connected case.

April 01, 2024
Dpr

(PANKAJ JAIN)
JUDGE

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