

Sanjay @ Phoji vs State Of Haryana on 16 December, 2024

Neutral Citation No:=2024:PHHC:168086

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212-CRM-M-51582-2024

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51582-2024

Date of decision: 16.12.2024

Sanjay @ Phoji

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Shivansh Malik, Advocate,
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks anticipatory bail in case FIR (Annexure P-2) as under: -

FIR No.	Dated	Sections	Police Station
207	18.08.2024	420, 467, 468, 469 IPC and 506 IPC added later on and 82 of the Registration Act	Arya Nagar, Rohtak, District Rohtak

2. Learned counsel for the petitioner submits that in compliance to the order dated 21.10.2024, the petitioner has joined the investigation.

3. During the course of hearing on 21.10.2024, following order has been passed: -

1 of 3 Neutral Citation No:=2024:PHHC:168086 212-CRM-M-51582-2024 '2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner, having

no concern with the alleged transaction, as mentioned in the aforesaid FIR, has been falsely implicated in this case. He contends that the matter in question pertains to the sale deed dated 21.06.2024, (Annexure P-1), executed by one Anil Kumar in favour of one Parveen Kumar. He contends that the petitioner is neither the signatory thereof nor the beneficiary of the said transaction but has been nominated in the present case on the basis of statement of the deed writer recorded under Section 161 Cr.PC to the effect that the petitioner had come with the seller or buyer at the time of execution of the sale deed dated 21.06.2024 (supra).

3. Learned counsel for the petitioner further contends that simply accompanying of person(s) do not make the petitioner a criminal especially when there is nothing on record that the petitioner had been in any manner beneficiary of the said transaction or had actively participated therein.

4. Notice of motion.

5. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

6. Adjourned to 26.11.2024.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite.

8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS).'

4. Learned State counsel on instructions received from SI Paramjeet Singh, informs the Court that the petitioner has joined the 2 of 3 Neutral Citation No:=2024:PHHC:168086 212-CRM-M-51582-2024 investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 21.10.2024 passed by this Court, interim bail granted vide order dated 21.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16.12.2024
preeti

(SANJIV BERRY)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No

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