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CRM-M-10600-2021 (O&amp;M)

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

CRM-M-10600-2021 (O&amp;M)

Date of decision: 28.01.2025

SHREY GUPTA

....Petitioner

Versus

STATE OF HARYANA AND ANR.

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Gagan Oberoi, Advocate and  
Ms. Jaya Kumari, Advocate  
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Kamal Chaudhary, Advocate for the complainant.

.....

**SANJIV BERRY, J. (ORAL)****CRM-22411-2024**

Heard.

2. Instant application under Section 482 Cr.P.C. has been filed for placing on record the amended memo of party.

3. Amended memo of parties is ordered to be taken on record.

4. Registry to do the needful.

5. Disposed of.

**Main Case**

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: -

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
0049	19.02.2021	408 and 420 IPC	Sector-14, Panchkula.



2. Learned counsel for the petitioner submits that in compliance to the order dated 05.03.2021, the petitioner has joined the investigation.
3. Learned counsel appearing on behalf of the complainant has opposed the bail.
4. During the course of hearing on 05.03.2021, following order had been passed: -

*“ Learned counsel for the petitioner inter-alia contends that the petitioner, who is young boy aged 21 years has been falsely implicated in the case at the behest of the complainant as a counter blast to the complaints filed by the petitioner against the complainant seeking investigation into his financial transactions; there is no other criminal case in which the petitioner is involved; since the petitioner was an employee of the complainant, the petitioner's bank accounts*

*were being used by the complainant for his personal expenses to evade income tax etc; the alleged amounts for which allegations are made against the petitioner for misappropriation have been got transferred by the complainant himself; no recovery is to be made from the petitioner; the entire prosecution case is based on documentary evidence and that the petitioner is ready and willing to join the investigation as and when called by the Investigating Agency.*

*Notice of motion.*

*Mr. Ashok Kumar Sehrawat, DAG, Haryana, accepts notice on behalf of the respondent-State and prays for time to argue the matter.*

*Adjourned to 19.05.2021.*

*In the meanwhile, subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.49, dated 19.02.2021, registered under Sections 408, 420 IPC at Police Station Sector-14, Panchkula, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”*

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5. Learned State counsel on instructions received from S.I. Jagdish informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. 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 05.03.2021 passed by this Court, interim bail granted vide order dated 05.03.2021 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of 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.

7. The petition stands allowed.

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

28.01.2025  
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**(SANJIV BERRY)**  
**JUDGE**

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