

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13960-2018 (O&M)

Date of decision: 13.02.2019

Vishal Goyal

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.319 dated 03.10.2015 under Sections 419, 420, 467, 468, 471, 120-B IPC, registered at Police Station Tripri, District Patiala.

While granting interim anticipatory bail to the petitioner, following order was passed on 04.04.2018: -

“.....Learned senior counsel for the petitioner submits that the petitioner was found innocent and was kept in column No.2, when the challan under Section 173 Cr.P.C. was submitted against co-accused Krishan Kumar and Chamkaur Singh on 04.02.2016. It is further submitted that supplementary challan was also submitted under Section 173 (8) Cr.P.C. against one more co-accused Jagdeep Singh. Learned senior counsel for the petitioner has referred to the operative part of both the abovesaid challans/reports, wherein it is only mentioned that the petitioner was also nominated as one of the accused on the basis of

disclosure statement made by Krishan Kumar.

Learned senior counsel for the petitioner further submits that co-accused of the petitioner namely Ram Jiwan Singh has already been granted the concession of anticipatory bail by the Hon'ble Supreme Court and Krishan Kumar and Chamkaur Singh were granted regular bail by this Court. It is further submitted that the only allegation against the petitioner is that he has drafted the disclosure statement made by Krishan Kumar, wherein, at the first instance, he has stated that the sale deed was forged by one Rakesh Kumar and in the second disclosure statement, he has named the petitioner. It is also submitted that the petitioner is neither the beneficiary nor a witness to the sale deed.....”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Karamjit Singh, has submitted that though the petitioner has joined the investigation, however, his whereabouts are not known.

Since the petitioner has joined the investigation more than once, in pursuance of the order dated 04.04.2018, this petition is allowed and the interim bail granted to the petitioner vide order dated 04.04.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

13.02.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No