

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.270

CRM-M-10111-2021

Date of decision: 08.11.2021

Sunil Tyagi

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Arvind Kashyap, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.437 dated 23.09.2015 under Sections 419, 420, 467, 468, 471, 201, 120-B IPC (Sections 419, 471, 201 IPC added later on), registered at Police Station Badshahpur, District Gurgaon(Gurugram).

On September 09, 2021, this Court had passed the following order:-

“The petitioner is seeking anticipatory bail in FIR No. 437 dated 23.09.2015, under Sections 419, 420, 467, 468, 471, 201, 120-B of the Indian Penal Code, 1860 ('IPC' - for short) (Sections 419, 471, 201 IPC added later on), registered at Police Station Badshahpur, District Gurgaon(Gurugram).

Learned counsel for the petitioner contends that it is alleged that 'general power of attorney' of the complainant was forged by co-accused, but no benefit was derived by any person, as the property remained in the name of the complainant. He also contends that the petitioner and co-accused, namely, Shamveer are the alleged beneficiaries of the 'power of attorney', but they have not derived any benefit in real terms. The documents were recovered from other co-accused. He also contends that the 'general power of attorney' was provided to the petitioner as a security for the loan which he had advanced to Dharampal. The petitioner is not involved in any other case. He further contends that the petitioner has been cheated by co-accused

and he has filed FIR No. 0757 dated 26.12.2020 (Annexure P4) in this regard.

List on 08.11.2021.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation. In the event of his arrest, the investigating/arresting officer shall release the petitioner on *ad interim* bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 09.09.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

November 08, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No