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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26257-2021(O&M)

Date of decision: 06.08.2021

Rajbala and another	Petitioners.
vs.	
State of Haryana	Respondent.

CORAM: -HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: - Mr. Manish Gupta, Advocate,
for the petitioners.

Mr. Anant Kataria, Deputy Advocate
General, Haryana.

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RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through
video conferencing.

Petitioners seek grant of anticipatory bail under
Section 438 Cr.P.C in case bearing FIR No.306 dated
06.10.2020 registered under Sections 34, 420, 466, 467,
468, 471 IPC at Police Station Sadar Narnaul, District
Mahendergarh.

At the time of issuing notice of motion on
09.07.2021, following order was passed: -

*“The case has been taken up for
hearing through video conferencing.*

*Learned counsel for the petitioners
contends that civil suit filed by the*

petitioners against husband of the complainant and others was partly decreed vide judgment and decree dated 16.11.2019. Both the parties went in first appeal before the District Judge. Allegations are that thereafter, a forged and fabricated affidavit was filed by petitioner No.1 on behalf of both the petitioners for seeking sanctioning of mutation in their favour. Mutation No.3872 was sanctioned on 08.07.2020 on the premise that no case was pending in respect of property in question.

Learned counsel further contends that the mutation is not a document of title and it does not confer title in favour of the petitioners, rather the same is an instrument updating the record. Petitioners have not derived any illegal gain by selling the property on the basis of said mutation, nor they intend to sell the same till final decision of the litigation. Allegations are relatable to documentary evidence and the petitioners are ready to join the investigation.

Notice of motion for 06.08.2021.

In the meanwhile, petitioners are directed to appear before the SHO/Investigating Officer to join investigation on 16.07.2021 at 11.00 A.M. and in the event of their arrest, they shall be enlarged on interim bail, subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall

be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.”

Learned counsel for the petitioners submits that in compliance of the order dated 09.07.2021, petitioners have joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Devinder Singh admits the aforesaid fact and submits that the petitioners are no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 09.07.2021 is made absolute. Petitioners shall keep on joining the investigation as and when required to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

06.08.2021

preeti

whether speaking/non speaking *yes/no*

whether reportable/non reportable *yes/no*