

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-28375-2021 (O&M)

Date of decision: 18.11.2021

Mela Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 660 dated 01.12.2019, registered under Sections 419, 420, 467, 468, 471 of the IPC at Police Station Sadar Pehowa, District Kurukshetra.

On 22.07.2021, when the arrest of the petitioner was stayed, the following order was passed:

“...Learned counsel contends that there is no allegation whatsoever qua the petitioner in the FIR and he has been implicated in a false case on wholly extraneous considerations, besides, the petitioner is 90 years old and is bed ridden and unable to move but is ready and willing to join investigation and fully co-operate in the same.

Notice of motion.

Mr. Sandeep Singh Mann, Addl. A.G. Haryana accepts notice and requests for time to obtain instructions and file reply.

Adjourned to 16.08.2021.

In the meantime, arrest of the petitioner is stayed

till the next date.”

Learned counsel for the petitioner submits that thereafter, the case was adjourned and the interim order is continuing and the petitioner is ready to join investigation.

Learned counsel further submits that in fact with regard to a sale deed of the year 2005, the FIR has now been registered in the year 2019 and, therefore, the complainant, during the course of trial, has to explain the delay in registration of the FIR.

Learned State counsel has not disputed the factual position.

Accordingly, without commenting anything on the merits of the case, the present petition is allowed and the petitioner is granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

18.11.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No