

CRM-M-32387-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32387-2021.
Date of Decision:-14.09.2021.

Mala Ram Numberdar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pawan Attri, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.84 dated 03.03.2021 under Sections 419, 420, 467, 468 IPC and 120-B IPC (added later on), registered at Police Station City Thanesar, District Kurukshetra.

On 12.08.2021, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia submits that in the present case the sale deed in question which was executed in favour of Krishan Kumar by allegedly impersonating Angoori Devi has already been cancelled. The matter between Angoori Devi and Krishan Kumar has already been compromised, which fact is apparent from the order dated

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11.05.2021 (Annexure P-3) and it is on the basis of the said compromise that Krishan Kumar has been granted interim bail.

It has further been submitted that the petitioner is not a beneficiary of the said transaction and has never been involved in any criminal case much less a case of fake identification. The petitioner has further relied upon an order passed by this Court in CRM-M-21600-2021 decided on 15.07.2021, in which case also a Coordinate Bench of this Court had granted anticipatory bail to Numberdar who was an attesting witness to a General Power of Attorney, which was alleged to be forged.

Notice of motion for 14.09.2021.

On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of State of Haryana and seeks time to get instructions.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has already joined the investigation.

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Learned State counsel, on instructions from SI Gulzar, has submitted that the petitioner has joined the investigation and he is no more required for further investigation.

This Court has heard the learned counsel for the parties.

Keeping in view above facts and circumstances also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the order dated 12.08.2021 is made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

September 14, 2021.

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Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No