

CRM-M-7627-2022

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

CRM-M-7627-2022

Date of decision: 24.02.2022

Ravish

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vaibhav Narang, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.251 dated 30.03.2016, registered at Police Station Sadar, District Hisar, under Sections 420, 406, 467, 468, 471 and 120-B IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that neither the petitioner was named in the FIR nor any role attributed to him; that main allegation was against Gulzari Lal, who has since passed away; that the petitioner has been arraigned as an accused after the death of his father; that it was a contractual dispute; that the petitioner is neither a signatory nor a witness to the agreement dated 06.09.2014, allegedly executed between Gulzari Lal and the complainant, granting rights of super stockist to Gulzari Lal; that the matter dates back to 2016; that nothing is to be recovered from the

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petitioner and that he is not required for custodial interrogation. On this premise, learned counsel prays for the grant of anticipatory bail to the petitioner.

Notice of motion.

On the asking of this Court, Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana, accepts notice on behalf of the respondent-State.

At this stage, Mr. Suresh Kumar Kaushik, Advocate, puts in appearance on behalf of the complainant.

Learned State counsel, assisted by the learned counsel for the complainant, while opposing the submissions made by the learned counsel for the petitioner for the grant of bail, submits that the present FIR stood registered on 30.03.2016; that a supplementary statement of the complainant was recorded on 19.07.2016; that thereafter, the investigating agency got recorded the statement of Notary on 23.09.2016; that on 28.09.2016, notice under Section 41 Cr.P.C. was issued against the petitioner; that despite issuance of warrants of arrest thrice, the petitioner did not appear before the Illaqa Magistrate/Investigating Agency; that further proceedings before the trial Court were stayed by a Coordinate Bench, vide order dated 22.10.2016 passed in CRM-M-37893-2016, filed by co-accused Pankaj Arora, but the said order was vacated on 18.02.2020; that after vacation of stay, further proceedings were initiated and the trial Court issued warrants of arrest against him, and that thereafter, proclamation proceedings were initiated against the petitioner on 14.02.2022. It is further submitted that the agreement was got attested by the petitioner from Puran Singh, Notary, who has suffered a statement in

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this regard. Even the complainant also stated that the petitioner had come to his office alongwith the agreement with a version that his father was having lunch at the Hotel. It is further contended that the test identification parade of the petitioner is to be got conducted qua Notary and the documents, including the cheques, of forged firm Shivraj Agency, are to be recovered, and therefore, the petitioner is required for custodial interrogation.

I have heard the learned counsel for the parties.

In the present case, notice under Section 41 Cr.P.C. was served upon the petitioner. The allegation against the petitioner is that the agreement was got attested by the petitioner from Puran Singh, Notary, who has suffered a statement in this regard. Even the complainant also stated that the petitioner had come to his office alongwith the agreement with a version that his father was having lunch at Hotel.

Keeping in view the gravity of the offence, this Court finds that the petitioner is required for custodial interrogation.

Therefore, finding no merit in the present petition, the same is dismissed.

24.02.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No