

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(206)

CRM-M-12764-2022

Date of decision: - 22.11.2022

Manish Singla

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Naveen Bawa, Advocate,  
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Vivek Salathia, Advocate  
for complainant/respondent No.2.

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**VIKAS BAHL, J. (ORAL)**

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.31 dated 04.02.2020, under Section 420 IPC (Sections 465, 467, 468, 471 and 120-B IPC have been added later on), at Police Station Division No.7, District Ludhiana.

On 06.04.2022, this Court was pleased to pass the following order:-

**“CRM-13016-2022**

*Present application has been filed under Section 428 Cr.P.C. for impleading applicant-Munish Mahajan son of Puran Chand Mahajan, resident of House No.1840, Sector 32-A, Chandigarh Road, Ludhiana as respondent No.2.*

*Learned counsel for applicant has submitted that the applicant*

*is the complainant in the present case and has prayed that he may be impleaded as a party in the said case.*

*Notice of the application to the opposite counsel.*

*Learned counsel for the non-applicant/petitioner as well as learned State counsel have submitted that they have no objection in the case the present application is allowed and the applicant/complainant is impleaded as in the present case.*

*In view of the above, the present application is allowed and applicant-complainant is impleaded as respondent No.2 in the present case.*

*The Registry is directed to do the needful accordingly in the memo of parties.*

**CRM-13015-2022**

*Present application has been filed under Section 482 Cr.P.C. for placing on record the certain documents as Annexures R-2/1 to R-2/6.*

*Application is allowed, as prayed for. The documents (Annexures R-2/1 to R-2/6) are taken on record, subject to all just exceptions.*

**CRM-12799-2022**

*Present application has been filed under Section 482 Cr.P.C. for placing on record hand written note of applicant-petitioner as Annexure P-7.*

*Application is allowed, as prayed for. The hand written note of the applicant-petitioner (Annexure P-6) is taken on record, subject to all just exceptions.*

**CRM-M-12764-2022**

*Learned counsel for the petitioner, inter alia, contends that in the present case, the FIR dated 04.02.2020, under Section 420 IPC was registered on the basis of a detailed complaint given by Manish Mahajan against the petitioner and other co-accused. It is further submitted that the petitioner was arrested on 15.09.2020 and was granted regular bail by the Additional Sessions Judge, Ludhiana vide order dated 21.05.2021. It is further submitted that on 29.01.2022 i.e. after a delay of about one year and 11 months, a DDR has been recorded on the basis of which Sections 465, 467, 468, 471 and 120-B IPC have been added. It is further submitted that the document which*

*is alleged to have been forged is a note prepared by the petitioner himself and prima facie the same does not disclose the offence of forgery. It is also stated that the said document had been given to the police authorities prior to the registration of the FIR and thus, the subsequent registration of DDR on the basis of the said document has been apparently done in order to defeat the order granting bail to the petitioner. It is further submitted that a complaint under Section 138 of the Negotiable Instruments Act is also being proceeded against the petitioner with respect to the dishonor of the cheque of the amount of Rs.40 lakhs.*

*Notice of motion for 26.05.2022.*

*On asking of the Court, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of State of Punjab and Mr. Vivek Salathia, Advocate, appears on behalf of respondent No.2-complainant and seek 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.*

**(VIKAS BAHL)**  
**JUDGE**

**April 06, 2022"**

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

Learned State counsel, on instructions from ASI Sukhdev Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances more so, the facts which have been noticed in abovesaid order dated 06.04.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the

present petition is allowed and the interim order dated 06.04.2022 is ordered to be made absolute.

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

November 22, 2022  
naresh.k

( VIKAS BAHL )  
JUDGE

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|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |