

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-15034-2022
Decided on : 23.05.2022

Subhash

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Atul Yadav, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 107 dated 21.02.2022 under Sections 120-B, 419, 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860 registered at Police Station Pataudi, District Gurugram.

On 08.04.2022, this Court was pleased to pass the following order:

“Learned counsel for the petitioner inter alia contends that in the present case, Pushpa showed Aadhaar Card to the petitioner in which the photograph of Pushpa had been affixed and it had been mentioned that she was named Savita and accordingly, on the basis of the said Aadhaar Card, the petitioner, who is a lambardar, had attested the sale deed by identifying Savita in the sale deed. It is

further submitted that the petitioner is not involved in any other case. It is contended that the case of the petitioner is different from the case of Simran who has withdrawn her anticipatory bail application inasmuch as, Simran was the beneficiary of the sale deed whereas, the present petitioner is not the beneficiary of the sale deed and even identification has been done on the basis of said Aadhaar Card. It is also contended that no role has been attributed to the petitioner in the preparation of the said forged Aadhaar Card.

Notice of motion.

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.

Adjourned to 23.05.2022.

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 above order, the petitioner has joined the investigation and is not involved in any other case.

Learned State counsel, on instructions from ASI Raj Kumar, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated

08.04.2022 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 08.04.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an 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.

(VIKAS BAHL)
JUDGE

23.05.2022
Mehak

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