

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

205

**CRM-M-16724-2022
Decided on : 13.09.2022**

Vaseem and others

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sanjiv Gupta, Advocate, for the petitioner(s).

Mr. Ashish Yadav, Addl. AG, Haryana.

SANJAY VASHISTH, J. (Oral)

Prayer in this petition, filed under Section 438 of the Code of Criminal Procedure, 1973, is for grant of anticipatory bail to the petitioners, who have been booked for having committed the offences punishable under Sections 419, 420, 465, 467, 471 & 120-B of IPC, in a case arising out of FIR No. 0034, dated 12.02.2021, registered at Police Station Kunjpura, District Karnal.

On 25.04.2022, following order was passed by the coordinate Bench of this Court:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.0034 dated 12.02.2021, registered under Sections 419, 420, 465, 467, 471 and 120-B of IPC at Police Station Kunjpura, District Karnal.

It is contended that the present matter is purely of civil nature and the mutation No.289, which was alleged to be procured by way of fraud, stands already rectified by mutation No.332 (Annexure P-11) with respect to the same land and the petitioners are neither the beneficiaries nor having any concern with the land in question in any manner.

Notice of motion for 18.07.2022.

Mr. Amreek Singh Narwal, Deputy Advocate General, Haryana accepts notice on behalf of the respondent-State and seeks time to file reply.

Let the reply be filed by State on or before the next date of hearing.

In the meanwhile, petitioners are directed to join the investigation. In the event of arrest, petitioners shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) that the petitioners shall make themselves available for interrogation by a police officer as and when required;*
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioners shall not leave India without the previous permission of the Court.”*

Learned counsel for the petitioners contends that in compliance of the order dated 25.04.2022, passed by the coordinate Bench of this Court, the petitioners have joined the investigation.

Learned counsel for the State on instructions from ASI Radhe Sham, corroborates the said averment and submits that the custodial interrogation of the petitioners is not required for the purpose of investigation.

Heard learned counsel for the parties.

Since the petitioners have joined the investigation and their custodial interrogation is not required, the present petition is allowed and the ad-interim order dated 25.04.2022 is made absolute.

However, the petitioners shall continue to join the investigation

as and when required to do so and abide by all the conditions laid down under Section 438(2), Cr.P.C.

Petition is disposed of.

(SANJAY VASHISTH)
JUDGE

September 13, 2022

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No