

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

284

CRM-M-19293-2022
Decided on : 23.05.2022

Pardeep @ Parle

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Manish Soni, 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 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 registered at Police Station Pataudi, District Gurugram.

On 16.05.2022, this Court was pleased to pass the following order:

“In pursuance of order dated 07.05.2022 passed by this Court, learned State Counsel has filed short reply by way of an affidavit of Assistant Commissioner of Police, Pataudi, Gurugram, today in the Court. The same is taken on record.

Learned counsel for the petitioner inter alia contends that the petitioner is neither the attesting witness nor the beneficiary of the alleged forged sale

deed. It is further submitted that in the FIR, the only allegation levelled against the petitioner is that he was trying to take forcible possession of the land in question, whereas no offence under Section 452 of IPC or any offence under which forcible possession/dispossession is punishable has been added in the FIR. It is argued that the petitioner is also stated to have been named in the disclosure statement of Narender @ Monu and even as per the said statement, it was Narender @ Monu who had got prepared the Aadhaar Card and Ishwar Kumar @ Kalu, Document Writer, Tehsil Pataudi was having knowledge about whole fact that Pushpa was not real owner of the land in question i.e. Savita. It is further argued that in the said disclosure statement also, it has been vaguely stated that the petitioner has participated in the conspiracy. It is further contended that as far as the cases registered against the petitioner are concerned, in most of the cases, he has been acquitted and in other cases, he is on bail.

Notice of motion for 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.

To be heard alongwith CRM-M-15034-2022. ”

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 16.05.2022 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 16.05.2022 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