

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
(220)

CRM-M-22525-2022 (O&M)
Date of decision: - 29.09.2022

Narender Kumar

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Parveen Sharma, Advocate,
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. P.S. Jammu, Advocate
for the complainant.

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.12 dated 06.01.2022, registered under Sections 120-B, 420, 467, 468, 471 and 506 IPC, at Police Station Sonipat City, District Sonipat.

On 23.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the petitioner has nothing to do with the fake Death Certificate prepared by brother of the petitioner and regarding the same, a complaint was submitted by Bhanwar Singh (complainant in the present FIR) to the Deputy Commissioner, Sonapat and the same was marked to the Commissioner, Municipal Corporation, Sonapat

and the Commissioner, Municipal Corporation, Sonapat vide its report dated 23.06.2021 had come to the conclusion that the complainant-Bhanwar Singh could not produce any document to substantiate that the Death Certificate of Sanjay has been prepared in connivance with the present petitioner or his wife. It is further contended that there is a dispute between the complainant and the present petitioner and it is on account of the said fact that the said complainant is trying to falsely implicate the petitioner with respect to an alleged incident of the year 2012.

Notice of motion for 26.07.2022.

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.

(VIKAS BAHL)
JUDGE

23.05.2022"

Thereafter, on 26.07.2022, this Court was pleased to pass the following order: -

"Learned counsel for the petitioner has submitted that he has not been supplied a copy of the application moved by the counsel for the complainant.

Learned counsel for the complainant is directed to give a copy of the application filed by him to the counsel for the petitioner.

Adjourned to 29.09.2022.

(VIKAS BAHL)
JUDGE

26.07.2022"

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 the investigating officer, 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 23.05.2022 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 23.05.2022 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.

Pending application, if any, stands disposed of in view of the abovesaid order.

September 29, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No