

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30073-2021 (O&M)

Date of Decision:-6.12.2022

Preeti Jagdeva and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Nevadita Malik Sharma, Advocate for the petitioners.

Mr. Abhinash Jain, DAG, Haryana,
assisted by ASI Paras.

Mr. Rajesh Hooda, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners seek grant of anticipatory bail in respect of a case registered vide FIR No.0182, dated 5.7.2021, Police Station Kalayat, District Kaithal, under Sections 120-B, 420, 467, 468 and 471 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 30.7.2021:

“The petitioners seek grant of anticipatory bail in a case registered against them vide FIR No.0182 dated 5.7.2021 at Police Station Kalayat, District Kaithal under Sections 120-B, 420, 467, 468 and 471 of Indian Penal Code.

While petitioner No.2-Mrs. Sunita Dhiman is currently Municipal Councillor of Ward No.5, Kalayat, District Kaithal, petitioner No.1-Preeti Jagdeva is son of petitioner No.2.

The allegations, in nutshell, are that the petitioners while exercising their influence had tampered with the record pertaining to house tax assessment and in the register for the year 2010/14 the entries in respect of the property bearing ID No.11C88U44, which was originally entered in the name of Babu Ram, had been forged and the said property is shown to be entered in the name of petitioner No.1. It is further alleged that the said record was, however, still being reflected in the name of Babu Ram on NDC portal. It is further alleged that 'M/s Pragti Info. India Pvt. Limited' while printing the record in respect of the period 2018-21 had entered the name of accused No.1 in respect of the said property.

Learned counsel for the petitioners has submitted that the petitioners have infact been falsely implicated on account of political rivalry with one Rajiv Rana, who is presently Councillor of Ward No.4, and since petitioner No.2 in the year 2018 had voted in favour of Ms. Rajni Rana, the previous Chairperson of Municipal Council, during one no-confidence motion, whereas Rajiv Rana had been pressurizing her to vote in favour of Ms. Poonam Dhiman.

Learned counsel for the petitioners has further submitted that it is evident from record that Rajiv Rana had infact taken away the relevant record pertaining to house assessment in the year 2019 and had illegally retained with him for a good two years till a formal complaint dated 22.3.2021 (Annexure P-2) was submitted by the Secretary, Municipal Council against him.

Learned counsel for the petitioners submits that it is on account of the aforesaid enmity and rivalry between petitioner No.2 and Rajiv Rana that Rajiv Rana is trying to portray a bad picture and has falsely implicated them by getting the FIR lodged through the complainant.

Notice of motion for 3.12.2021.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety

bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

3. Learned State counsel, upon instructions from ASI Paras, has informed that pursuant to interim directions issued on 30.7.2021 and also directions issued on 11.7.2022, the petitioners have joined investigation and have also furnished their specimen handwriting/signatures and that, as such, the petitioners are not required for any custodial interrogation.
4. In view of the aforestated position, wherein the petitioners have joined investigation and are stated to have cooperated with the same and are not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 30.7.2021 are hereby made absolute, subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.
5. It is, however, clarified that none of the observations made or contentions as recorded in order dated 30.7.2021 including the contention of the petitioners as regards the petitioners having been falsely implicated at the instance of Rajiv Rana, shall be taken to be any kind of expression on merits of the main case.

6.12.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No