

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

**CRM-M-45873-2021 (O&M)
Date of decision : 12.01.2022**

Manpreet Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. S.S.Dinarpur, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. Vineet Chaudhary, Advocate
for the complainant.

(Through video conferencing)

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.376 dated 25.09.2021 registered under Sections 420, 467, 468, 471 & 120-B IPC at Police Station Ambala City, Distt. Ambala.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court on 01.11.2021. Order dated 01.11.2021 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.376 dated 25.09.2021 registered under Sections 420, 467, 468, 471 & 120-B of the IPC at Police Station Ambala City, District Ambala.

Learned counsel for the petitioner argues that the only allegation against the petitioner is that he alongwith the other co-accused has allegedly forged a Will dated 10.04.2016 and the basis of the said allegation is that petitioner is an attesting witness to the said alleged forged Will. Learned counsel for the petitioner submits that the petitioner is ready to join and cooperate in investigation and, therefore, he be granted the benefit of anticipatory bail.

Notice of motion for 11.01.2022.

Mr. Gaurav Bansal, AAG, Haryana, who is present Court, accepts notice on behalf of respondent-State.

Learned State counsel submits that the original of the said alleged forged Will is yet to be recovered. Learned State counsel though, concedes that the petitioner is only an attesting witness to the said alleged forged Will but, submits that in order to recover the said original Will, custodial interrogation of the petitioner is necessary.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The allegation that the petitioner has forged the Will dated 10.04.2016 is yet to be proved during the course of trial. As far as the reason being given by the learned State counsel for custodial interrogation of the petitioner that the original Will is to be recovered is concerned, the same can be done from the Registration Authority as the said Will is a registered document. The fact whether the petitioner is a beneficiary of the said Will or not is yet to be proved during the course of trial.

Keeping in view the facts and circumstances of the present case, as learned counsel for the petitioner has already undertaken before this Court that the petitioner is ready to join and cooperate in the investigation, the petitioner has made out a case for the grant of benefit of anticipatory bail.

The petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on

interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

(i) That he shall make himself available for interrogation by the police officer as and when required.

(ii) That he 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 the said facts to the Court or to any police officer.

(iii) That he shall not leave India without prior permission of the Court.

(iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Navtej states that in terms of the order of this Court reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 01.11.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

12.01.2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No