

211

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

CRM-M-46599-2022

Date of decision : 15.11.2022

Gurtej Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Raman Mohinder Sharma, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Rishav Jain, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.95 dated 20.09.2022 registered under Sections 420, 467, 468, 471 of the Indian Penal Code, 1860 at Police Station Chhajli, District Sangrur.

On 07.10.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“Prayer in this petition under Section 438 Cr. PC is for grant of anticipatory bail to the petitioner in case FIR No.95 dated 20.9.2022 under Sections 420, 467, 468, 471 IPC, PS Chhajli, District Sangrur.

Learned counsel for the petitioner submits that Jaggar Singh paternal uncle of the petitioner executed a

transfer deed in favour of the petitioner. In the pedigree table attached with the said transfer deed, Bhuro Kaur and Chhoti Kaur, sisters of Jaggar Singh were shown as alive, though they were already dead. It is submitted that neither the pedigree table was prepared by the petitioner nor he is a signatory to the same. It is further submitted that all the documents, alleged to be forged are already in custody of the police and hence custodial interrogation of the petitioner is not necessary.

Notice of motion for 15.11.2022.

Till the next date of hearing, in the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer/Trial Court. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C., reproduced below:-

- 1. the petitioner shall make himself available for interrogation by a police officer as and when required;*
- 2. the petitioner 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;*
- 3. the petitioner shall not leave India without the previous permission of the Court.*

Sd/-(Nidhi Gupta)

Judge

7th October, 2022”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 07.10.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Darshan Singh, 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 07.10.2022 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 07.10.2022 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.

15.11.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No