

2023:PHHC:042686

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

CRM-M-89-2023

Date of Decision: 23.03.2023

KRISHAN LAL

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.S.S.Nagra, Advocate for
Mr. Raghav Goyal, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

On 19.01.2023, the following order was passed:-

“The petitioner is seeking anticipatory bail in the case bearing FIR No. 205 dated 10.11.2022 under Sections 465/468/471/120-B IPC registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the petitioner was only a witness to the bail bonds which were submitted for the purpose of release of his son on bail. The petitioner is not a party and was not aware of the fact that the Adhaar Card was forged one and surety was also furnished in another case at his instance. It has also been submitted that the mother of the petitioner has passed away on 14.01.2023 and her last rites are yet to be performed.

Notice of motion.

Ms.Ruchika Sabherwal, DAG, Punjab, accepts notice on behalf of the respondent.

Adjourned to 08.02.2023.

Keeping in view the fact that the mother of the petitioner has died five days ago and last rites are to be performed, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that in terms of the order dated 08.02.2023, the directions were issued to join investigation and the order dated 19.01.2023 shall also include the offence under Sections 467 and 201 IPC which were added at a subsequent stage. It has also been submitted that two of the co-accused have been granted regular bail. Moreover, in pursuance of the interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Hardeep Singh, has not disputed the aforesaid factual assertions and further submits that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 19.01.2023, vide which the petitioner has been granted interim bail, is made absolute. However, the said order shall also construed to have been passed with regard to Sections 467 and 201 IPC.

Petition is allowed.

23.03.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No