

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

**CRM-M No.1511 of 2023(O&M)
Date of Decision: 21.04.2023**

**Anshuman Kalia and anotherPetitioners
Vs**

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Tanu Bedi, Advocate and
Ms. Ashma Singh, Advocate
for the petitioners.

Mr. Sanjeev Soni, Addl., A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

[1]. This petition was filed by Sushil Kalia and his son Anshuman Kalia. Sushil Kalia committed suicide on 28.01.2023., therefore, this petition qua him was ordered to be abated on 15.03.2023.

[2]. The petitioner No.1 seeks anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.202 dated 02.08.2022 registered under Sections 409, 120-B IPC (offences under Sections 420, 467, 468, 471 IPC added later on) at Police Station Division No.8, Police Commissionerate, Jalandhar, District Jalandhar.

[3]. Notice of motion was issued on 12.01.2023 on the premise that an amount of Rs.10,16,370/- had already been remitted to the account of the Government on visualizing that the construction could not be done owing to the land not free from encumbrances. Co-accused Rakesh Malhotra has already been granted anticipatory bail vide order dated 23.11.2022 passed in CRM-M No.47385 of 2022. The interim protection was also granted qua petitioner No.1 and his father while issuing notice of motion. However, due to demise of his father, now only surviving prayer is on behalf of the petitioner No.1. Vide order dated 15.03.2023, one more indulgence was granted to the petitioner to join the investigation as he could not join the investigation due to his apprehension of arrest in FIR No.205 dated 03.08.2022 for the offences under Sections 409, 420, 120-B, 465, 467, 468, 471 IPC, Police Station Division No.8, Police Commisnerate, Jalandhar. In the aforesaid FIR, the petitioner was granted regular bail in CRM-M No.11957 of 2023.

In view of aforesaid facts, the petitioner was granted one more indulgence to join the investigation.

Learned State counsel on instructions from ASI Kulwinder Singh submits that in compliance of order dated 15.03.2023, the petitioner has joined the investigation to the satisfaction of the Investigating Officer and the petitioner is no more required for further investigation in the case.

In view of aforesaid position, orders dated 12.01.2023 and 15.03.2023 are made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

21.04.2023
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No