

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229

CRM-M-1719-2022
Date of decision: 17.03.2023

PARAMINDER SINGH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sudhanshu Khanna, Advocate for
Mr. P. S. Khurana, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.151 dated 05.12.2021, under Sections 120-B, 406, 420, 467, 468, 471 of the Indian Penal Code, 1860 registered at Police Station Sector-20, District Panchkula.

On 02.05.2022, this Court had passed the following order:-

“Prayer in this petition is for grant of anticipatory bail in FIR No.151 dated 05.12.2021 under Sections 120-B, 406, 420, 467, 468, 471 IPC, registered at Police Station Sector-20, Panchkula.

Learned counsel for the petitioner submits that brother of the petitioner, namely Maninder Singh, is sole proprietor of M/s K.V. Alloys and the petitioner is not partner in the same. It is further submitted that the loan was applied by brother of the petitioner as proprietor and the petitioner was only a guarantor of the loan.

Learned counsel for the complainant, with reference to the application form, could not dispute the fact that the same was signed

by Maninder Singh being proprietor of M/s K.V. Alloys and at one place, the petitioner has signed, where it is mentioned that signatures of coapplicant/guarantor.

On a Court query, learned counsel for the complainant could not reply as to whether the loan, which was sanctioned, was disbursed in the joint account of the petitioner with his brother Maninder Singh and rather has submitted that it was disbursed in the account of firm, where the petitioner is not a signatory.

List again on 08.09.2022.

In the meantime, the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

1. He shall make himself available for interrogation by a police officer as and when required;
2. 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 such facts to the Court or to any police officer; and
3. He shall not leave India without previous permission of the Court.”

Learned counsel for the petitioner submits that in pursuance of the above order, the petitioner has not only joined investigation but has also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

Learned State counsel on instructions from ASI Gurbachan Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigation agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 02.05.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioner fails to join and cooperate with the investigation agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

17.03.2023
Mehak

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No