

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

203

CRM-M-8495-2022 (O&M)

Date of decision: 12.04.2023

SALLI AND ANOTHER

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Karanveer Singh, Advocate for
Mr. Himanshu Rao, Advocate the petitioners

Mr. Tanuj Sharma, AAG Haryana

Mr. Varun Chawla, Advocate
for respondent No.2-SBI

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.222 dated 18.05.2018, under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 registered at Police Station Dharuhera District Rewari.

On 16.02.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.222 dated 18.05.2018, registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Dharuhera, District Rewari.

Learned counsel contends that the allegations against the petitioners are of having forged jamabandi which showed the land to be of 9.21 hectares, whereas in actual, it was only 0.21 hectares, based on which a loan of Rs.6.5 lacs was advanced to the petitioners. He submits that the land is already in possession of the complainant-Bank as it was mortgaged, the value of

which is more than the loan amount. He relies on orders passed by this Court in CRM-M-40605-2019, CRM-M-21336-2019, CRM-M-25205-2019 and CRM-M-10166-2022, wherein similar complaints have been lodged by the Bank against other individuals, who had also taken loan and their documents were found to be forged, have been granted concession of interim anticipatory bail. He further submits that the petitioners are ready and willing to join investigation as and when required by the investigating agency.

Meanwhile, the petitioners are directed to join the investigation on or before 22.02.2023. In the event of arrest of the petitioners, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioners do not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 12.04.2023.”

Learned counsel for the petitioners submits that in pursuance of order dated 16.02.2023 of this Court, the petitioners have not only joined investigation but have also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

Learned State counsel on instructions affirms the factum of joining the investigation by the petitioners and cooperating with the investigation agency. He also submits that at this stage, the petitioners are 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 petitioners is allowed and the order dated 16.02.2023 granting interim bail to them, 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 petitioners fail 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 them.

(AMAN CHAUDHARY)
JUDGE

April 12, 2023

S.Sharma(syr)

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