

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-8378-2023

Date of decision: 04.07.2023

Tirlok Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naveen Gupta, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.52, dated 30.01.2023 (Annexure P-1), under Sections 406 and 420 of the IPC, registered at Police Station Mahesh Nagar, District Ambala.

2. Vide order dated 16.02.2023, a Coordinate Bench of this Court had been granted interim anticipatory bail to the petitioner with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that no specific role has been attributed to the present petitioner but the co-accused Santokh Singh, who is real brother of the present petitioner, is the culprit, who sold out 165 square yards i.e., the land which does not belong to him as 200 square yards of the land stood already sold to one Abha Tiwari by the petitioner as well as his brother Santokh Singh vide Annexure P-2, which is a registered sale deed dated 14.07.2014 and duly bears the signatures of the petitioner as well as Santokh Singh. He asserts on the strength of this background that now it is only the Santokh Singh, who has executed the instant sale deed

with the complainant and might have committed fraud as the petitioner is neither the beneficiary nor the executant of the instant sale deed (Annexure P-3), executed on 18.07.2014. He also asserts that the instant FIR is now got registered on 30.01.2023, by the beneficiary of sale deed dated 18.07.2014 (Annexure P-3).”

3. Learned counsel for the petitioner submits that in compliance of order dated 16.02.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 16.02.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

04.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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