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

CRM-M-15628-2022(O&M)

Date of Decision: 26.04.2023

SUDHIR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr.Dharamvir Singh, Advocate for
Ms. Alka Sharma, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

HARSH BUNGER, J. (Oral)

Prayer in the present petition filed under Section 438 Cr.P.C is for grant of concession of anticipatory bail to the petitioner in case FIR No.30 dated 18.02.2022 registered under Sections 420, 467, 468, 471 and 120-B of Indian Penal code, 1860 and Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) at Police Station City Tauru, District Nuh.

On 18.04.2022, the following order was passed by this Court :-

“The learned counsel appearing for the petitioner has submitted that the only allegation against the petitioner is that he had helped in making the alleged forged documents/bills and even otherwise also the petitioner was not named in the disclosure statement of the main co-accused. She further submitted on instructions that the petitioner is not involved in any other case and has clean antecedents.

Notice of motion.

Mr. Naveen Singh Panwar, DAG, Haryana accepts

notice on behalf of the State of Haryana and prays for some time to file affidavit in the present case.

Adjourned to 18.10.2022.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Vide order dated 23.03.2023, the petitioner was granted an opportunity to join investigation in terms of order dated 18.04.2022, subject to payment of costs of Rs.10,000/-.

Learned counsel for the petitioner submits that pursuant to the aforesaid order dated 23.03.2023, the petitioner has joined the investigation. He further submits that the petitioner has deposited Rs.10,000/- as cost, with **'Punjab and Haryana High Court Bar Clerks Association'**, pursuant to order 23.03.2023. A photocopy of receipt thereof has been handed over in the court today, which is taken on record, subject to all just exceptions.

Learned State counsel on instructions from SI Satish Kumar has not disputed the aforesaid fact of joining of investigation by the petitioner and submits that his custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, the present petition is allowed and the ad-interim order dated 18.04.2022 passed by this Court is made absolute.

However, the petitioner shall continue to join the investigation

as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if the petitioners fail to comply with any of the bail conditions laid down under Section 438(2) Cr.P.C, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioners.

Nothing expressed here-in-above shall be construed to be an observation on merits of the case and the facts and circumstances recorded above are only for consideration of the prayer for anticipatory bail at this stage.

The petition is accordingly disposed of.

26.04.2023

Amandeep

**(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No