

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

267

CRM-M-16015-2023 (O&M)

Date of decision: 22.05.2023

Jagjeet Singh

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Pankaj Nanhera, Advocate for the petitioner

Mr. Praveen Bhadu, AAG Haryana

AMAN CHAUDHARY. J.

1. On 29.03.2023, 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.06 dated 06.01.2021, registered under Sections 420, 465, 467, 468, 471, 474 and 120-B of the IPC at Police Station Central Faridabad, District Faridabad, Haryana.

Learned counsel contends that the Scheduled Caste certificate that was issued to the wife of the petitioner was on the basis of a certificate that was issued 40 years ago in favour of her father. A similar certificate was also issued in favour of her brother, in the year 2004 on strength of the above. It is, thereafter that the certificate was validly issued by the authorities in favour of the wife of the petitioner. Learned counsel submits that nothing is to be recovered from the petitioner as all the documents are already in the custody of the Department and even the certificate is available on the website of the Government. Petitioner and complainant are related to each other as the complainant is real sister-in-law of the petitioner. There is an ongoing family feud. Some litigations are also pending between them. Learned counsel submits that the petitioner is ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Tanuj Sharma, AAG Haryana accepts notice on behalf of respondent-State.

Mr. Kamal Chaudhary, Advocate puts in appearance on behalf of the complainant.

Meanwhile, the petitioner is directed to join the investigation on or before 04.04.2023. In the event of arrest of

the petitioner, he 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 petitioner does 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 22.05.2023.”

2. Learned counsel submits that in pursuance of the aforesaid order, the petitioner has not only joined investigation but 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.

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

4. 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 29.03.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating 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

22.05.2023

S.Sharma(syr)

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