

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

205

CRM-M-19220-2023(O&M)  
Date of decision: 14.11.2023

SAJJAN SINGH AHLAWAT ALIAS SAJJAN KUMAR  
....Petitioner

Versus

STATE OF HARYANA AND ANOTHER  
...Respondent

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ramesh Hooda, Advocate for the petitioner.

Mr. Vishal Malik, DAG Haryana.

Mr. Ravinder Malik, Advocate for respondent No.2.

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SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

| FIR No. | Dated      | Sections                                              | Police Station                              |
|---------|------------|-------------------------------------------------------|---------------------------------------------|
| 389     | 23.09.2022 | 420, 506 IPC<br>(467, 468, 471 IPC added<br>later on) | Urban Estate,<br>Rohtak, District<br>Rohtak |

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 27.04.2023 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions from SI Narender has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.
- He has filed reply dated 31.10.2023 in the form of an affidavit of Deputy

Superintendent of Police, Rohtak. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

4. Learned counsel appearing on behalf of the complainant-respondent No.2 has submitted that the interim bail was granted to the petitioner on the basis of additional affidavit dated 24.04.2023 and he should be directed to remain bound by the terms and conditions of the said affidavit.

5. Heard.

6. During the course of proceedings on 27.04.2023, the following order was passed:-

*“Counsel for the petitioner has made statement in Court today that both plots i.e. D8-26 and D8-28 may be transferred in favour of the petitioner and the son of the complainant as per share mentioned in the will of Randhir Singh father of the petitioner. He further submits that the complainant has already filed one civil suit with regard to estate of Randhir Singh and the same is pending in Civil Courts at Rohtak. He further submits that the petitioner has never given any threat to the complainant or other members of her family as has been alleged in the FIR. He further submits that there was no malafide intention on behalf of the petitioner to deceive or cheat the complainant or her son and in order to show his bonafide, the petitioner has given additional affidavit dated 24.4.2023 and the same is already taken on record.*

*Counsel appearing on behalf of the complainant, while resisting the present petition, submits that actually, the petitioner intends to usurp the share of his deceased brother out of the estate of Randhir Singh who during his life time, executed registered Will, as per which, half share out of the said estate is to go to the son of the complainant.*

*From the perusal of the aforesaid additional affidavit of the petitioner, it appears that now he is intending to settle the dispute in an amicable manner and even otherwise, the dispute regarding estate of Randhir Singh is pending before the Civil Court and admittedly, the petitioner is a government employee and is presently working as Inspector, Sales Tax Department, Haryana.*

*In view of above, the petitioner is hereby directed to join the investigation with the police and in case of arrest, he is to*

*be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case. The petitioner is also to abide by the conditions envisaged under Section 438 (2) of Cr.P.C. The petitioner should cooperate with the police.  
Now be listed on 25.7.2023.”*

7. Since the petitioner has joined the investigation consequent to the order dated 27.04.2023 passed by this Court and further the learned counsel for the petitioner has submitted that the petitioner will remain bound by the undertaking given by his affidavit dated 24.04.2023, so keeping in view the facts and circumstances, the interim bail granted vide order dated 27.04.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court. The petitioner is further directed to remain bound by the terms and conditions specified in his additional affidavit dated 24.04.2023.
8. The petition stands allowed.

(SANJIV BERRY)  
JUDGE

14.11.2023  
S.Sharma(syr)

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