

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213 CRM-M-21739-2023
Date of decision: 17.08.2023

Manjeet Singh ..Petitioner

Versus

State of Haryana ..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Pradeep Duhan, Advocate for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

Mr. Sumit Gupta, Advocate for the complainant.

AMAN CHAUDHARY, J.

1. On 01.05.2023, this Court had passed the following order:-

“XX XX XX

CRM-M-21739-2023

The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case of FIR No.06 dated 06.01.2021, registered under Sections 420, 465, 467, 468, 471, 474, 120-B IPC at Police Station Central Faridabad, District Faridabad, Haryana.

Learned counsel contends that the complainant is the sister of the petitioner and there is a property dispute inter se parties. A certificate had been issued in favour of the petitioner based on another certificate issued in favour of his father 40 years ago. He shall produce the same before the investigating agency, if an opportunity is granted to him to join investigation. It is his further submission that the certificate was validly issued by the authority in favour of his sister and all documents are already in custody of the department. The certificate in question is also available on the website. He relies on an order passed by this Court in CRM-M-16015-2023, where interim anticipatory bail is granted to the co-accused Jagjeet Singh. He further 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.

Meanwhile, the petitioner is directed to join the investigation on or before 08.05.2023. 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 of conditions as 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 aforementioned 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 from ASI Nagender 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 01.05.2023 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

17.08.2023
ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No