

**211 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-30984-2023 (O&M)****Date of Decision: 20.07.2023**

Krishan Chand

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.404 dated 25.06.2022, under Sections 406, 420, 467, 468, 471 and 120-B IPC registered at Police Station Gharaunda, District Karnal.

2. Allegations against the petitioner are that he along with co-accused secured loan from UCO Bank, Gharaunda Branch, Karnal on the basis of forged documents.

3. The Coordinate Bench vide order dated 21.06.2023, granted interim bail to petitioner and the same reads as under:-

“Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.404 dated 25.06.2022 registered under Sections 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Gharaunda, District Karnal.

Learned counsel for the petitioner has contended that the petitioner is a rustic villager and he had no knowledge of any kind of the documents taken into consideration by bank official for granting the loan and he was having no malign intention to submit

any forged report. He has further contended that some of the loan amount has already been deposited with the bank and petitioner will make earnest effort to deposit the remaining amount also within 10 days and is ready and willing to join the investigation.

Notice of motion for 20.07.2023.

Mr. Ravish Kaushik, Addl. A.G. Haryana, accepts notice on behalf of respondent-State.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/ Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

As per the requisite conditions, petitioner is also directed to deposit the remaining loan amount with the bank within a period of 13 days from today.”

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 21.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

9. Disposed off accordingly.

10. Pending criminal misc. application(s), if any, shall also stand disposed off.

20.07.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No