

2023:PHHC:126430

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

209

CRM-M-39416-2023 (O&M)
Date of decision: 26.09.2023

Parveen Kumar

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None

AMAN CHAUDHARY. J.

1. In view of the request letter circulated by Bar Association, the lawyers are abstaining from work.
2. On 11.08.2023, 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.105 dated 26.07.2023, registered under Sections 420, 465, 467, 468 and 471 of IPC, at Police Station Moonak, District Sangrur.

Learned counsel contends that the allegations leveled against the petitioner in the FIR are of having got prepared forged insurance policy through agent Kaka Ram, are false, inasmuch as the petitioner had purchased the truck in question, from one Chander Parkash on 09.02.2022. However, for the purpose of getting the vehicle insured, he had withdrawn a sum of Rs.50,000/- from his account on 08.02.2022, Annexure P-5, which was paid to the agent and documents were handed over, pursuant to which an insurance policy dated 09.02.2022, Annexure P-2 was issued in the name of previous owner, as the vehicle got transferred in the name of the petitioner on 04.03.2022, registration certificate of depicting his ownership is Annexure P-4. However, for reasons best known to the agent or otherwise, the last digit of the chassis number got wrongly mentioned, though the engine number mentioned was correct, but the vehicle insured was an Hero Electric E Sprint Scooty, which though does not have an engine number. The petitioner has no role to play in the aforesaid. Moreso, he would have gained nothing by getting a scooty mentioned instead of truck in the insurance. Rather, the petitioner would face unwarranted circumstances due to the above. The petitioner is not involved in any other case. He is ready and willing to join the

investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab. accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 18.08.2023. In the event of his arrest, 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 26.09.2023.”

3. ASI Gurmeet Singh appears in person and submits that the petitioner has joined the investigation and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for any 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 11.08.2023 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

September 26, 2023
M.Kamra

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