

211(2) IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-45387-2023

Date of decision: 06.11.2023

ANKIT

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Namit Khurana, Advocate for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. C.M. Munjal, Advocate for the complainant.

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**DEEPAK GUPTA J. (ORAL)**

Status report dated 05.11.2023 by way of affidavit of Parmod Kumar, Deputy Superintendent of Police, Yamuna Nagar-III on behalf of respondent-State has been filed and same is taken on record.

2. On 14.09.2023, following order was passed by this Court:-

*“Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.167 dated 01.07.2022, registered at Police Station Chhachhrauli, District Yamuna Nagar, under Sections 420, 467, 468, 471, 167 and 120-B IPC.*

*Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner has nothing to do with the allegations made in the FIR; that out of 31 kanals mortgaged by the petitioner, the complainant is allegedly owner of 03 kanals only. It is further submitted that loan amount has already been cleared by the petitioner.*

*Notice of motion.*

*On the asking of this Court, Mr. Rupinder Singh Jhand, Addl. A. G. Haryana, accepts notice on behalf of the respondent-State, and seeks time to file the status report.*

*At this stage, Mr. C.M.Munjhal, Advocate, puts in appearance on behalf of the complainant and also seeks time to file the reply.*

*Adjourned to 06.11.2023.*

*Meanwhile, the petitioner is directed to join investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.*

*However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”*

3. A categorical stand has been taken by the respondent-State that the petitioners have already joined the investigation, in compliance of the order dated 14.09.2023.
4. Today, learned State counsel, on instructions from S.I. Subhash, has further stated that custodial interrogation of the petitioners is not required.
5. In the face of the aforesaid statement made by learned State counsel, the objection of learned counsel for the complainant, so as not to make the order dated 14.09.2023 absolute, is hereby declined.
6. In view of the aforesaid, the order dated 14.09.2023, whereby the petitioners were granted interim anticipatory bail, is hereby made absolute.
7. However, they shall continue to join investigation, if and so required by the Investigating Officer.
8. Disposed of.

**November 06, 2023**  
*manisha*

**(DEEPAK GUPTA)**  
**JUDGE**

- (i) Whether speaking/reasoned: Yes/No
- (ii) Whether reportable: Yes/No