

TAHIR

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Abhinav Sood, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG, Haryana.

VIVEK PURI,J. (ORAL)

1. Reply by way of affidavit of Amit Bhatia, HPS, Deputy Superintendent of Police, District Rewari on behalf of the respondent-State has been filed and the same is taken on record.
2. On 30.11.2022, the following order was passed by the Co-ordinate Bench:-

“Learned counsel for the petitioner has submitted that it is a case where the co-accused had obtained loan of Rs. 2,25,000/- on the documents allegedly supplied by the petitioner which were ultimately found to be fabricated. He submitted that the total dispute in the present case was only Rs. 2,25,000/- and has prayed for the grant of anticipatory bail.

Notice of motion.

Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana accepts notice on behalf of the State of Haryana and prays for some time to file an affidavit. Adjourned to 04.05.2023.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner contends that as per the allegations,

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the fictitious revenue record depicting the share of the petitioner to the extent of 3.67 hectares instead of 3.53 hectares was submitted at the time of raising loan and mortgaging the immovable property. The property in the name of the petitioner is sufficient to liquidate the loan amount. He further submits that the petitioner has joined the investigation in pursuance of interim directions.

4. On instructions from SI Pritam Singh, learned State counsel submits that the petitioner has joined the investigation and his custodial interrogation is not required.

5. In view of the aforesaid submissions, the order dated 30.11.2022, granting interim bail to the petitioner is made absolute.

6. The petition is allowed.

04.05.2023

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(VIVEK PURI)
JUDGE

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