

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

204

**CRM-M-55466-2022
Date of decision: 10.03.2023**

Rohtash

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.336 dated 17.06.2022 under Sections 420, 467, 468, 471 and 120-B of the IPC, registered at Police Station Quilla, Panipat.

Vide order dated 30.11.2022 while issuing notice of motion the petitioner was granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner has no role to play in the alleged preparation of power of attorney dated 28.01.2008, which was, in fact, forged by Kaptan Singh; that the petitioner is the real owner of the property in dispute, and that the petitioner is still ready to execute the sale deed in favour of the complainant.

Notice of motion for 10.03.2023.

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) Cr.P.C. However, anticipatory bail, granted while exercising the judicial

discretion, should not operate as an inroad into the statutory investigational power of the police.”

Learned State counsel, on instructions from Inspector Vijay Kumar, submits that in compliance of order dated 30.11.2022, the petitioner has joined investigation and cooperated with the investigating agency. He further submits that as per the instructions received, the parties have amicably settled the dispute among themselves. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 30.11.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

10.03.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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