



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15345-2024 (O&M)
Date of decision: 23.05.2024

Parmanand
...Petitioner

Versus

State of Haryana
...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. ADS Jattana, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.0381 dated 06.10.2020, under Sections 120-B, 406, 419, 420, 465, 467, 468, 471, 477-A & 506 of the Indian Penal Code, 1860, registered at Police Station IMT, Rohtak, District Rohtak.

(2) Above FIR was registered on the basis of statement made by complainant-Ajmer Singh with the allegations that petitioner in criminal

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conspiracy with co-accused issued fabricated letter, which was used in forged Sale Deed, while remaining as a Sub-Inspector of Co-operative Society.

(3) Contends that petitioner was granted interim bail by this Court, vide order dated 05.04.2024 and in pursuance thereof, he has already joined the investigation; thus, his custodial interrogation is not required.

(4) Learned State Counsel, on instructions from ASI Shubham, acknowledged the above factual position and submits that as on today, custodial interrogation of the petitioner is not required.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) It is not in dispute that petitioner was granted interim bail by this Court on 05.04.2024 and the order reads as under:-

“Status Report by way of an affidavit dated 04.04.2024 of Sh. Rakesh Kumar, DSP, Sampla, District Rohtak has been filed. The same is taken on record. Copy thereof supplied to the opposite side.

Learned Counsel for the petitioner contends, inter alia, that from bare reading of the FIR, no offence is made out against the petitioner.

Learned State Counsel seeks time to have instructions regarding the complicity of petitioner.

Posted for 23.05.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide

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by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

- (7) It is acknowledged by learned State Counsel on instructions from ASI Shubham that in pursuance of the aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (8) In view of the above, present petition is allowed; interim order dated 05.04.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (9) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (10) 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.
- (11) It is clarified that in case there is recurrence on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.
- (12) Pending application(s), if any, shall also stand disposed off.

23rd May, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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