



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1 CRM-M-17886-2024
Date of Decision : August 29, 2024

NEERAJ GARGPetitioner
VERSUS
STATE OF HARYANARespondent

2 CRM-M-17917-2024

SAKSHI SHARMAPetitioner
VERSUS
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Anuj Kumar, Advocate for the petitioner(s).
Mr. Rajesh Gaur, Addl.AG, Haryana.
Mr. Paramjeet Phor, Advocate for the complainant.

KULDEEP TIWARI, J. (Oral)

- Both the above mentioned petitions are amenable to be decided together as common relief of anticipatory bail in FIR No.86 dated 20.3.2024, under Sections 120-B/467/468/471 IPC and under Section 67 of the IT Act, registered at Police Station Sector 13-17, Panipat, has been sought and, therefore, they are being taken up together for disposal.
- Vide order dated 10.04.2024, a co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.86 dated 20.03.2024 under Sections 120-B, 467, 468, 471 of the Indian Penal Code, 1860

and Section 67 of the I.T. Act, registered at Police Station Sector 13-17, Panipat.

Learned counsel for the petitioners, inter alia, contends that it was in fact, the counsel for the petitioners, who had supplied them a forged and fabricated order of this Court, wherein the alleged tampering had been done. It has been submitted that a complaint in the said regard has already been given to the Bar Council of Punjab and Haryana, besides this Court also having taken suo moto cognizance of the same.

Notice of motion.

On the asking of the Court, Ms. Trishanjali Sharma, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent and prays for some time to file a short affidavit.

Adjourned to 18.04.2024.

No coercive steps be taken against the petitioners till the next date of hearing.

Copy of this order be placed on the file of connected case.”

2. On dated 29.5.2024, The Superintendent of Police concerned informed this Court that he will constitute an SIT to be headed not below the rank of DSP, to investigate the matter in order to find out whether, the petitioner(s)-Neeraj Garg and Sakshi Sharma have any role in the fabrication of the order passed by this Court on dated 20.11.2023 and also directed the petitioner(s) to join the investigation as and when called upon by the SIT and also to fully co-operate with the investigation by providing the other relevant material, as required by the SIT.

3. Today, the learned State counsel has filed affidavit in CRM-M-17886-2024, the same is taken on record. As per the affidavit, it is specifically mentioned that no incriminating evidence has been received against the

petitioner(s) till date and also it is specifically mentioned that the custodial interrogation of the petitioner(s) is not required at this stage.

3. In view of the specific stand of the learned State counsel that the petitioner(s) have joined the investigation and their custodial interrogation is not required, the hereinabove extracted interim order dated 10.4.2024, is hereby, made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

August 29, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No