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

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Date of Decision : July 15, 2024

SUNIR UPPAL

-PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Supriya Garg, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the relief of anticipatory bail in FIR No.29 dated 24.03.2024, under Sections 420, 467, 468, 471 of the IPC, registered at P.S. Ranjit Avenue, Amritsar.

2. On 28.05.2024, this Court had passed the hereinafter extracted order upon the instant petition:-

"1. In deference to the order made by this Court on 20.05.2024, the learned State counsel has filed a short reply, on affidavit of Varinder Singh Khosa, P.P.S., Assistant Commissioner of Police (North), Amritsar City, which is taken on record.

2. The allegations surging forth from a studied perusal of the present FIR, are that, in order to grab the tender of renovation and beautification of six different schools in South Constituency, as became floated by the Amritsar Improvement Trust, the petitioner, who is proprietor of a registered firm, namely, M/s Core Construction, submitted forged documents.

3. The learned counsel for the petitioner, in her asking for the relief



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of anticipatory bail for the petitioner, submits that the petitioner's firm had applied for the tender (supra) through online channel and the documents, which are alleged to be forged, were never submitted by the petitioner's firm. Nonetheless, the learned counsel for the petitioner submits that, since the case is based upon documentary evidence and all the relevant documents are already in possession of the investigating agency, therefore, custodial interrogation of the petitioner is not required. Moreover, the petitioner is ready and willing to join the investigation and to cooperate with the investigating agency.

4. List on 15.07.2024.

5. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C."

3. Today, the learned State counsel has, on instructions imparted to him by A.S.I. Jaswinder Pal, stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is no longer required for custodial interrogation.

4. In view of the above, the hereinabove extracted interim order dated 28.05.2024, as made by this Court, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

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

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

(iii) the petitioner shall make himself/herself available for

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interrogation by a police officer as and when required.”

5. This order should not be treated as “blanket” order. It will not be read granting petitioner 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.
6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

July 15, 2024
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(KULDEEP TIWARI)
JUDGE

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