

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25798-2023
Date of decision : 23.01.2024

PARAMJEET SINGHPetitioner

Versus

STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Gagan Bajaj, Advocate for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

On 22.05.2023, the following order was passed :-

“Petitioner seeks concession of anticipatory bail in case FIR No.0068, dated 02.03.2023, under Sections 420/467/468/471/120-B IPC, registered at Police Station Kalka, District Panchkula, Haryana.

Learned counsel for the petitioner inter alia contends that the petitioner is not named in the FIR. Rather he has been implicated on the basis of disclosure statement of co-accused Muni Lal. The petitioner is neither a beneficiary nor signatory to any of the documents which are allegedly used in the forgery.

Notice of motion, returnable for 10.07.2023.

On the asking of Court, Mr. Surender Singh, Assistant Advocate General, Haryana accepts notice on behalf of the respondent-State.

At this stage, Mr. Parminder Walia, Advocate who is present in Court, accepts notice on behalf of the complainant and has filed his power of attorney.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

2. Today, Ld. State Counsel on instructions from ASI Gajraj Singh submits that the petitioner has already joined investigation and is no more

required for custodial interrogation. The petitioner is stated to have been implicated on the basis of disclosure made by Muni Lal and apart from that there is no incriminated evidence against him.

3. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 22.05.2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.
4. This order should not be treated as "blanket" order. It will not be read granting the 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.
5. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.
6. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.
7. It will be open to the police or the investigating agency to move this Court for a direction under Section 439(2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
8. Petition stands disposed off accordingly.

January 23, 2024
Dpr

(Pankaj Jain)
Judge

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