



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

**CRM-M-30855-2024
DECIDED ON: 01.07.2024**

PANKAJ KUMAR AND ORS

.....PETITIONERS

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Dr. Anmol Rattan Singh Sidhu, Sr. Advocate with
Mr. Suvir Sidhu, Advocate
for the petitioners.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioners in FIR No.220, dated 11.04.2023 (Annexure P-1), under Sections 120-B, 406, 420, 467, 468, 471 IPC, 1860, registered at Police Station Faridabad Kotwali, District Faridabad.

Learned Senior counsel for the petitioners contends that the whole dispute revolves around a sale deed on which the complainant has not denied his signatures and the question regarding the document alleged to have been prepared with fraud and forgery or not can be determined in a civil dispute as well.

Notice of motion.

On the asking of the Court, Mr. Surender Singh Pannu, Addl.

A.G., Haryana accepts notice on behalf of the respondent-State and submits

that he has already got report from the FSL on the disputed signatures vide which allegedly the agreement to sell stands cancelled which was qua plots measuring 100 square yards, 18 square yards and 06 square yards respectively but the sale deed was executed for plot measuring 590 square yards and on that account, the whole dispute has culminated into the registration of the instant FIR.

Mr. Kunal Dawar, Advocate has put in appearance on behalf of the complainant and has filed Power of Attorney, which is taken on record. He does not dispute the fact that the allegations in the instant FIR revolves around an executed sale deed dated 17.12.2021 the forgery and fraud alleged on that document is the subject matter.

Learned Senior counsel for the petitioners undertakes that the petitioners shall join the investigation within a period of three days from today and will cooperate with the investigating agency.

Mr. Pannu, learned Addl. A.G., Haryana could not put forth before this Court any reason for which custodial interrogation of the petitioners are required except their specimen signatures are to be collected for ascertaining as well as sale deed which was executed on 17.12.2021.

In the light of above, the petitioners are directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of three days from today, on furnishing of personal/surety bonds to his satisfaction. The petitioners shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

Mr. Sidhu, Senior counsel for the petitioners further undertakes to provide all necessary cooperation including specimen signatures of the petitioners as well as original copy of the sale deed to the investigating officer on the date the petitioners joins the investigation.

However, it is made clear that in case the petitioners does not comply with the aforesaid direction of joining the investigation within three days, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

01.07.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>