



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-31165-2024
Date of decision: 18.12.2024

AADIL KHANPETITIONER

Versus

STATE OF HARYANARESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of Cr.P.C.,
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
32	18.02.2021	420, 467, 468, 471 of IPC	City Nuh, District Nuh (Haryana).

2. Learned counsel for the petitioner submits that in compliance to the order dated 12.09.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 12.09.2024.
3. Learned State counsel, on instructions from SHO Satpal Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.
4. During the course of hearing on 12.09.2024, following order was passed:



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“Learned counsel for the petitioner inter alia submits that the cheque was given by the Patwari in his personal capacity to the petitioner but he is not having any document to that effect. He further submits that at the most it is an attempt to withdraw the amount of the Government and the entire case is based on the documentary evidence. He further submits that petitioner has already filed a quashing petition i.e. CRM-M-18968-2024 titled as Aadil Khan Vs. State of Haryana and another.

Notice of motion.

On asking of the Court, Mr. Karan Sharma, DAG, Haryana appears and accepts notice on behalf of the respondent-State and seeks time to file status report. A copy of the paper book be supplied to him during the course of the day.

On asking of this Court, learned State counsel submits that neither any intimation was given to the bank nor any report was registered with the police about missing of the cheque.

Keeping in view that FIR in question was lodged long time back in the month of February, 2021 and the entire case is based upon the documentary evidence, the petitioner is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required:

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person



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acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Adjourned to 18.12.2024.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite ”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 12.09.2024 passed by this Court, interim bail granted vide order dated 12.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

18.12.2024

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |