

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-39926-2022 (O&M)  
Date of decision: 20.08.2024

Mandeep Kumar @ Manna .....Petitioner.

Versus

State of Punjab ....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. R.P. Dhir, Advocate,  
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

Mr. Kamaljeet Singh, Advocate,  
for the complainant.

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SANJIV BERRY, J. (ORAL)

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

| FIR No. | Dated      | 3Sections                                         | Police Station                          |
|---------|------------|---------------------------------------------------|-----------------------------------------|
| 135     | 22.08.2022 | 420, 465, 468, 471 IPC<br>(411 IPC added lateron) | Police Bullowal,<br>District Hoshiarpur |



2. Learned counsel for the petitioner submits that in compliance to the order dated 05.09.2022, the petitioner has joined the investigation.

3. During the course of hearing on 05.09.2022, following order has been passed: -

‘Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.135 dated 22.08.2022, registered under Sections 420, 465, 468, 471 and 411 IPC (added later on), at Police Station Police Bullowal, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the FIR was registered on the complaint of the father-in-law of the petitioner; that the marriage of the petitioner with Reetu Bala (daughter of the complainant) was solemnised on 15.02.2017; that because of some matrimonial dispute, a FIR No. 40 dated 18.03.2022, under Sections 406, 498-A IPC was registered against the petitioner and his family members, wherein the petitioner and his family members, have already been granted anticipatory bail; that the allegations in the present FIR are that the petitioner had transferred the motor-cycle, given in dowry by the complainant, by creating a forged affidavit of Rajiv Khan, but as a matter of fact, the petitioner himself had purchased the aforesaid motor cycle from said Rajiv Khan and that till date, there is no complaint against the petitioner preferred either by the earlier owner of the motorcycle or the Registering Authority concerned.



Notice of motion for 15.11.2022.

At this stage, Mr. Vishal Thakur, Advocate, appears and files vakalatnama on behalf of the complainant in the Court and submits that during investigation Rajiv Khan, has stated that he has not sold his motorcycle to the petitioner and to this effect he has also executed an affidavit dated 28.06.2022. The vakalatnama is taken on record.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.'

4. Learned State counsel, on instructions from ASI Amardeep Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

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 05.09.2022 passed by this Court, interim bail granted vide order dated 05.09.2022 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and

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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.

8. Pending miscellaneous application, if any, also stands disposed of.

20.08.2024  
preeti

(SANJIV BERRY)  
JUDGE

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