

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

**212**

**CRM-M No.44006 of 2024  
Date of decision: 10.12.2024**

**AJAY @ TINKU**

**.... Petitioner**

Versus

**STATE OF HARYANA**

**.... Respondent**

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. A.K. Malik, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

Mr. Himanshu Bansal, Advocate for the complainant.

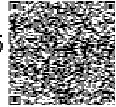
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**MANISHA BATRA, J. (oral)**

1. Prayer in this petition, filed for grant of anticipatory bail to the petitioner in case 129 dated 24.04.2024 registered under Sections 406, 420, 506, 467, 468 and 471 of IPC at Police Station Israna, Panipat, District Panipat.

2. Vide order dated 06.09.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 06.09.2024, passed by this Court, reads as under:

*“The present petition has been filed by the petitioner seeking grant of pre arrest bail in case arising out of FIR No.129 dated 24.04.2024 registered under Sections 406, 420, 506, 467, 468 and 471 of IPC at Police Station Israna, Panipat, District Panipat on the basis of written complaint lodged by the complainant-Sandeep Kumar alleging therein that he was the registered owner of the vehicle bearing No. HR-06AU-5663 which*

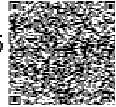


*was borrowed by the present petitioner on the pretext that his own vehicle had been damaged in a accident and he would return the vehicle as and when his vehicle was repaired. By alleging that that he had not returned the vehicle taken in the year 2019 till date and on demanding the same, he was extending threats to kill him. Therefore, he prayed for taking action against him. After registration of the FIR, the investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application which had been dismissed by learned Additional Sessions Judge, Panipat vide order dated 14.08.2024.*

*It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. Previously also a similar complaint had been filed by the complainant. The inquiry was conducted by the SHO, Police Station Israna and the allegations levelled by the complainant were found to be false and thereafter this complaint had been filed. His custodial interrogation is not required. He is ready to join the investigation.*

*The vehicle in question is not in his custody rather the same is in the custody of the complainant himself. The fraudulent providing of registration certificate of the vehicle in question as a surety and forging of various documents in any Court and also the allegations that he impersonated the complainant are false.*

*Notice of motion.*



*Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.*

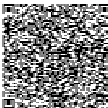
*Mr. Nikhil Vats, Advocate appeared and has filed his memo of appearance on behalf of the complainant. He seeks time to file his vakalatnama as well as reply in the matter.*

*Adjourned to 24.10.2024.*

*In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”*

3. Status report dated 05.12.2024 filed on behalf of respondent-State is taken on record. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation in compliance of order dated 06.09.2024 and subsequent thereto, however, he has not co-operated with the investigating agency and no recovery of Aadhar Card as well as Car as alleged in the FIR has been effected from him and for that purpose he is required to be joined into the investigation again.

4. In view of this position of law, the petitioner cannot be denied bail only because of the fact that the Aadhar car belonging to the complainant and car in question have not been got recovered by him. In my considered



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opinion, no useful purpose would be served by detaining the petitioner in custody. Hence, the present petition is allowed and order dated 06.09.2024 granting interim bail to the petitioner is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

10.12.2024  
Jyoti-IV

(MANISHA BATRA)  
JUDGE

|                            |         |
|----------------------------|---------|
| Whether speaking/reasoned: | Yes/No. |
| Whether reportable :       | Yes/No  |