

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-56151-2022
Date of Decision: 19.04.2024

Saroj Bala

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. S.K. Garg Narwana, Sr. Advocate with
Mr. Vazir Singh Mor, Advocate and
Mr. Mukul Ahuja, Advocate for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.808 dated 28.10.2022, under Sections 120-B, 420, 448, 467, 468 and 471 of the IPC, 1860, registered at Police Station Hansi City, District Hansi.

This Court vide order dated 02.12.2022, granted the concession of interim bail to the petitioner, subject to his joining the investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 02.12.2022, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Narinder, does not controvert the said fact though submits that the petitioner is not cooperating with the investigating agency.

A perusal of the case file as well as contents of the FIR would depict that there is an allegation against the petitioner on account of forgery

of development charges and garbage collection to the tune of Rs.34,420/-. It is the case of the petitioner that he has been paying water and electricity charges with regard to the same and no due certificate has also been issued by the competent authority apart from the fact that house tax assessment register was of the year 2002-03 and the other documents bear the signature of the Secretary of the Municipal Council, Hansi.

In that eventuality, it is evident that the cooperation of the petitioner during the course of investigation apart from joining the process of law is to assist inasmuch as the whole case is based on the documentary evidence which is an official record of the Municipal Council, Hansi. As far as the recovery of amount in question is concerned that is to be recovered by the trial Court after conducting the trial.

Mr. Virk appearing on behalf of the State very fairly informs the Court that other official who were also accused in the FIR were arrested and have been released on regular bail by the trial Court itself.

In view of the above, no case is made out against the petitioner and custodial interrogation of the petitioner is not required. Accordingly, the order dated 02.12.2022 is made absolute.

Accordingly, the present petition is disposed of.

19.04.2024

D.Bansal

(SANDEEP MOUDGIL)
JUDGE

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