

CRM-M-60017-2022

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-60017-2022 (O&M)

Date of Decision: 07.02.2024

SUNIL KUMAR

...Petitioner

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. R.K. Choudhary, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG Haryana.

Mr. Rakesh Sobti, Advocate for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, the petitioner is seeking anticipatory bail in case FIR No. 0021 dated 18.01.2020 registered under Sections 420, 494, 120-B and 506 of Indian Penal Code (Sections 467, 468, 471 of IPC added later on) at Police Station Gadpuri, District Palwal.

2. On 22.12.2022, following order was passed:

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.0021 dated 18.01.2020, registered for offences under Sections 420, 494, 120-B, 506, IPC, however, Sections 467, 468 and 471, IPC, were added, later on, at Police Station Gadpuri, District Palwal, Annexure P-1.

Counsel for the petitioner submits that allegation against the petitioner is of forging the Marriage Certificate. He submits that the Marriage Certificate already stands recovered, Manoj Kumar, the main accused, has been arrested and released on regular bail vide order dated 21.08.2020, Annexure P-7, passed by the learned Additional Sessions Judge, Palwal. Counsel submits that no recovery is

to be effected from the petitioner and the petitioner is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana, accepts notice on behalf of the respondent-State.

List on 20.04.2023.

Petitioner is directed to appear before the Investigating Officer on 05.01.2023 at 10.00 A.M. at Police Station Gadpuri, District Palwal, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

3. Learned State counsel has filed the status report dated 03.02.2024 by way of affidavit of Shakir Hussain, HPS, Deputy Superintendent of Police, Palwal, District Palwal on behalf of respondent-State of Haryana and on instructions from ASI Sube Singh Singh, submits that in compliance of order dated 22.12.2022 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel the order dated 22.12.2022, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C.
5. The petition is accordingly allowed.

07.02.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No