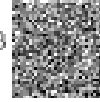


2025:PHHC:015073



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6160-2025
DECIDED ON: 03.02.2025

MANDEEP KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kanwar Mehtaab Singh Jakhar, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.231, dated 30.12.2023, under Sections 420, 467, 468, 471 of IPC, 1860, registered at Police Station Jakhal, District Fatehabad.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Police Station Jakhal District Fatehabad Subject: Application for action to be taken against 1 - Mrs. Sheela Devi, wife of Shri Rimal Singh 2- Mandeep Singh son of Rimal Singh resident of Haiderwala, Sub tehsil Jakhal district Fatehabad Mob. 8572079433 and 3 other persons involved in the conspiracy. Sir, it is requested that the complainant makes the following application. That the complainant Balwinder Singh son of Shri Hari Singh is a resident of Bhima Colony, Fatehabad. 2 That 1 the party has general power of attorney of his wife Mrs. Kulbir Kaur. 3 That the complainant had sold 67 Kanal 10 Marla agricultural land which is Khasra No. 14//21/2, 22,

23, 24, 25/1, 21/11/2, 2/1, 22/4, 5, 7 8 14//21/2, 21//1/1 Mouza Chillewal Sub Tehsil Jakhal Bajaria through Will No. 407, 408, 1066 in the name of his wife Smt. Kulbir Kaur in 2011 and complainant's brother Kulwinder Singh had registered 21 Kanal S Marla agricultural land Khasta No. 21//2/2, 3, 4 through Will No. 1065, 1067 in the name of his wife Jasbir Kaur in the year 2011. On all this above land there is a tubewell electricity connection No. H53-NASI-0651 which is running in the name of my wife and Jasbir Kaur's agricultural land is irrigated from the same tubewell. 4 That Mrs. Kulbir Kaur sold her share of agricultural land measuring 67 Kanal 10 Marla to Mrs. Jaswinder Kaur wife of Mr. Mahendra Singh, resident of Tohana, Bajaria Wasika No. 181 dated 17-5-2018 and it was decided to give 70 percent share of the water of the above tubewell to the buyer, regarding which the buyer gave his affidavit. The buyer Mrs. Jaswinder Kaur further sold that land to Mrs. Sheela Devi in 2018 and Sheela Devi further sold that land to Mrs. Bhago Bai etc. on 21 June 2022. 5. That Smt. Sheela Devi, who is very cleverly involved in getting the above mentioned tubewell connection in her name in connivance with her son Mandeep and others. . That from the documents which the complainant has obtained from the electricity department Jakhal under RTI, prima facie it appears that Smt. Sheela Devi in connivance with others and prepared the documents illegally and sent them to the electricity department which consists of a false verified statement, affidavit and a bundle of unrelated documents of Mrs. Kulbir Kaur were made and presented illegally in the Electricity Department to get the above electricity connection in their name: 7. That the wife of the complainant had sent her application to the • Electricity Department to take action against Mrs. Sheela Devi and other culprits, on which no action has been taken. Therefore, it is requested to the sir that strict and appropriate action should be taken as soon as possible by investigating against the above culprits who are prima facie involved in the fraud”

3. **Contention**

On behalf of the petitioner

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is further submitted that the allegations made against the petitioner are entirely false and frivolous, as the petitioner was neither the owner of the property in question nor was the electricity tubewell connection registered in the name of the petitioner.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Baljinder Singh Virk, Sr. DAG Haryana, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that there are serious allegations against the petitioner that he alongwith other co-accused persons tried to get electricity connection in their name by forging documents.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that no specific role has been attributed to the petitioner and there are vague allegations regarding forging of documents in order to get the electricity connection, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) a condition that the person shall not leave India without the previous permission of the Court;
- (iv) such other condition as may be imposed under sub-section (3) of section 437, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

03.02.2025

Meenu

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