

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

Criminal Misc.No.M-14983 of 2015

Date of Decision: November 16, 2015

Malkit Singh

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.R.S.Pandher, Advocate,
for the petitioner.

Mr.R.S.Randhawa, Addl.AG, Punjab.

Mr.Jagjit Gill, Advocate,
for the informant.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioner, Malkit Singh, who has been booked for having committed the offences punishable under Sections 420, 465, 467, 468 and 471, IPC, in a case arising out of FIR No.24, dated 12.02.2015, registered at Police Station, Civil Lines, Bathinda.

Learned counsel contends that in compliance of the interim directions dated 08.05.2015 passed by this Court, the petitioner did join the investigation and the Investigating Officer despite joining of the investigation by the petitioner, wrongly

submitted before this Court that the petitioner has not joined the investigation. He further submits that on the direction of this Court, the petitioner further joined the investigation and co-operated with the Investigating Agency and as such, his further custodial interrogation is not required. He further contends that the informant/complainant was not the owner of the vehicle enshrined in the FIR. He further submits that the informant/complainant of the present case was booked in several criminal cases including a case under Section 376, IPC. At the behest of the informant/complainant, a case under Section 307, IPC, was registered and later it was found that he (informant/ injured) had himself inflicted the injuries on his person and the complaint was found to be false.

Learned counsel for the State, on instructions from HC Mander Singh, Police Station, Civil Lines, Bathinda, very fairly concedes that the petitioner has joined the investigation but he has failed to disclose to the Investigating Agency the name of the person to whom he sold the vehicle. He further contends that the report received from the Forensic Science Laboratory would reveal that the signatures on the disputed documents are forged.

Learned counsel for the informant/complainant has also opposed the grant of bail to the petitioner.

After hearing learned counsel for the parties and going through the material available on record, this Court finds that vide order dated 08.05.2015 the petitioner was granted ad-interim bail with a direction to join the investigation. Perusal of the police file reveals that the petitioner has joined the investigation. The whole case is based upon documentary evidence. The argument of learned counsel for the State that the petitioner has not disclosed the name of the person to whom the vehicle was sold, can still be inquired into from the petitioner even if he is granted the concession of anticipatory bail.

In view of the above, the present petition is accepted. The interim directions dated 08.05.2015 passed by this Court are made absolute.

The petitioner shall continue to join the investigation as and when required to do so and abide by the terms and conditions as laid down under Section 438(2), Cr.P.C.

November 16, 2015
seema

(Naresh Kumar Sanghi)
Judge