

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-17654 of 2015

Date of Decision: September 15, 2015

Sher Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Mukesh Yadav, Advocate
for the petitioner.

Mr.Himmat Singh, Asstt. Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.155 dated 10.04.2015
under Section 420 IPC, registered at Police Station Mahendergarh,
District Mahendergarh.

Notice of motion was issued and learned State counsel
appeared and contested the petition.

Mr.Sunil Panwar, Advocate appeared on behalf of the
complainant, who made the complaint to Food and Supplies
Department.

I have heard learned counsel for the parties as well as
learned State counsel and have gone through the record.

The FIR in the present case has been registered on the basis of the application of Assistant Food and Supplies Officer, Mahendergarh. The main allegations against the present petitioner are that he obtained the ration card in the name of Sher Singh s/o Sohan and he has forged the ration card naming as Sher Singh s/o Sanwat Singh.

Learned counsel for the petitioner argued that petitioner is son of Sanwat Singh and has not committed any forgery regarding any ration card. He further argued that a civil suit has been filed in the year 1983, which is pending in which the disputed fact is that whether present petitioner is son of Sanwat Singh or not. Learned counsel for the petitioner further produced the copy of plaint of civil suit of the year 1969 filed by Sawant Singh against her sons by showing the present petitioner as his son.

The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the merits of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case where petitioner is entitled to benefit of anticipatory bail and therefore, the present petition is accepted. The order dated 27.05.2015 granting interim bail to the petitioner is made absolute.

September 15, 2015
Vgulati

(INDERJIT SINGH)
JUDGE