

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

Crl. Misc. No.M-18735 of 2015 (O&M)

Date of Decision: July 06, 2015.

Hans Raj @ Harbans

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vivek Khatri, Advocate
for the petitioner (s).

Mr. Vikas Chopra, D.A.G. Haryana with
Mr. Rohit Arya, A.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.134 dated 30.05.2011 registered for the offence punishable under Sections 420, 467, 468, 471 read with Section 34 and 120-B of Indian Penal Code, at Police Station City Tohana, District Fatehabad.

Heard.

Learned counsel for the petitioner submits that petitioner has joined the investigation. He was not named in the FIR and has no role in the fabrication of the signatures of the complainant on any document.

Main accused namely Dharmender and Dev Raj have already been acquitted vide judgment dated 12.05.2015 passed by Sub Divisional Judicial Magistrate, Tohana.

Learned State counsel admitting the factum of joining the investigation by the petitioner, submit that as per the investigation carried out by the police, petitioner was a signatory to power of attorney alleged to have been executed by the complainant and was also a witness to the affidavit.

As the main accused in this case have already been acquitted and the petitioner is not named in the FIR, without expressing any opinion on the merits of the case, this petition is allowed and the order dated 02.06.2015 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

July 06, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE