

CRM-M-18866-2016

DECIDED ON: AUGUST 26, 2016

SURAJ SUHAG

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jainainder Saini, Advocate
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

Mr. Vivek K. Thakur, Advocate
for the complainant

JASPAL SINGH, J (ORAL)

By virtue of this petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail in case FIR No. 39 dated 05.04.2016 under Section 420 and 34 IPC, registered at Police Station Line Par Bhadurgarh, District Jhajjar.

At the time of issuance of notice of motion the following order was passed:

“Prayer is for grant of anticipatory bail to the petitioner-Suraj Suhag in case FIR No.39 dated 05.04.2016 for offences punishable under Sections 420 and 34 of Indian Penal Code registered with Police Station Line Par Bhadurgarh, District Jhajjar.

The allegations of the estranged wife-Vijaywanti(complainant) are that her husband-petitioner/accused had submitted false information for getting a ration card prepared.

It is contended that no doubt there was a matrimonial dispute,

however, the complainant being the lawfully wedded wife had a permanent aboard at the address given in the ration card.

Notice of motion for 17.08.2016.

In the event of arrest, petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, he shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC.”

Shortly, put the allegations against the present petitioner are that he got prepared a separate ration card by incorporating his name as well as the name of his wife and child just to show that he is living separately from his parents. The said ration card on inquiry was found, not to have been issued by the concerned authorities of the Food and Supply Department.

Learned State counsel, on instructions from ASI Rajpal submits that in compliance of order dated May 27, 2016, petitioner has joined the investigation on July 06, 2016 and he is not required for further investigation.

In view of above, instant petition is allowed and order dated May 27, 2016 is made absolute.

However, petitioner shall be abide by all the terms and conditions as envisaged under Section 438(2) Cr.P.C.

AUGUST 26, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
Whether	Reportable	Yes/No