

CRM-M-19956-2015

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

**CRM-M-19956-2015
Date of Decision: 08.09.2016**

Lovekesh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. B.S.Virk, DAG, Haryana.

Mr. Virender Soni, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.103 dated 27.05.2015, registered at Police Station Chhappar, District Yamuna Nagar, under Sections 420, 467, 468, 471 and 409 IPC.

Notice of motion was issued in this case. Learned State counsel has appeared on behalf of the respondent-State and the complainant has also put in appearance through its counsel. They have contested this petition.

I have heard learned counsel for the petitioner, learned State counsel as well as learned counsel for the complainant and perused the

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record.

From the record, I find that FIR, in the present case, has been registered on the basis of application/complaint, submitted by the Department of Posts, India, Office of the Superintendent of Offices, Ambala, Division, Ambala. It is stated in the application/complaint that the present petitioner, Lovekesh Kumar, Postal Assistant, Mustafabad, had obtained a loan of ₹10 lacs from the bank by misusing the designation stamp. He also forged signatures of SPM over designation stamp of SPM Mustafabad.

During the course of arguments, it has been brought to my notice that the petitioner has been regularly paying the installments of loan amount and there is no complaint regarding non-payment of loan by the bank.

Learned counsel for the petitioner states that he has made a complaint against many officials of the department and the present FIR is a counter-blast to it.

In pursuance of the interim order dated 28.07.2015 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and that no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 28.07.2015, granting

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interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

08.09.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No