

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

**CRM-M No.21256 of 2016 (O&M)
Date of decision : 21.11.2016**

Suraj Sharma

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. J.S.Grewal, Advocate
for the petitioner.

Mr.Ashish Sanghi, DAG, Punjab.

AJAY TEWARI, J. (Oral)

On 04.08.2016 the following order was passed :-

“This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.77, dated 14.05.2016 registered under Sections 465/467/468/471 IPC at Police Station Nangal, District Rupnagar.

The allegations are that the petitioner was an ex-Sarpanch but had kept some cheques with him and had later on forged the signatures of the present Sarpanch and Panchayat Secretary and deposited the cheque in the account of his firm but fortunately the bank did not pay the amount because signatures did not tally.

Learned counsel for the petitioner has argued that till such time it is proved that the forgery was in the handwriting of the petitioner, the petitioner cannot be subjected but atleast petitioner cannot be arrested.

Learned Additional Advocate General, on instructions from ASI Gurmail Singh states that the cheque has not been sent to FSL the original cheque has not been handed over to the Investigating Officer.

In the circumstances let the petitioner appear before the Investigating Officer on 11.08.2016 or on any other date on which his appearance is required by the Investigating Officer. On his appearance the I.O. shall release him on interim bail to his satisfaction subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 21.11.2016.”

Learned Deputy Advocate General on instructions from H.C. Madan Lal has stated that the cheque has not been handed over to the Investigating Officer for comparison of the signatures of the petitioner.

In the circumstances, the present petition is disposed of at this stage with a direction to the trial Court to consider the question of finalization of bail after the receipt of FSL report. Interim bail will continue in the meantime.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

21.11.2016
Pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No