

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-21863 of 2016

Date of decision : October 25, 2016

Raj Singh

....Petitioner

versus

State of Haryana & anr.

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Chanderhas Yadav, Advocate, for the petitioner
Mr. Deepak Sabharwal, Addl. AG, Haryana, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Raj Singh in this anticipatory bail under section 438 Cr.P.C. are that he was a signatory to a forged sale deed dated 12.4.2010.

The contentions of the learned counsel for the petitioner are that the petitioner is not a beneficiary and has only identified the parties to the document and that a compromise has been duly effected between the present complainant Vijay Kumar and principal accused-beneficiary Sandeep alias Bablu and has sought to place reliance on Annexure P/2 to hammer home the point and that the principal accused has been allowed this concession vide orders dated 13.5.2016 by the court of learned Additional Sessions Judge, Jhajjar.

Keeping in view the principle of parity and the factual aspect which is not disputed by the learned State counsel, it would be traversity of justice to send the petitioner behind bars, the present petition is allowed. In

the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

October 25, 2016
'tiwana'

(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No