

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

**CRM-M No.26405 of 2016
Date of decision: August 22, 2016**

Santosh Dhawan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Upender Prasher, Advocate
for the petitioner.

Mr. P.S. Paul, DAG, Punjab
for the respondent-State.

JASPAL SINGH, J.(ORAL)

This is a petition under Section 438 of Code of Criminal Procedure preferred by Santosh Dhawan, seeking pre-arrest bail in case bearing FIR No.70 dated 01.05.2015, under Section 420 of Indian Penal Code registered at Police Station 'E' Division, Amritsar City.

Undisputably, petitioner was granted the concession of pre-arrest bail by learned Additional Sessions Judge, Amritsar vide order dated 24th July, 2015 but subsequent thereto, an application for cancellation of bail order dated 24th July, 2015 was moved which was allowed vide order dated 20th July, 2016.

A perusal of the file transpires that the bail order was cancelled by learned Additional Sessions Judge, Amritsar simply on the ground that report of the Forensic Science Laboratory has been received, according to which, agreement in question bears the signatures of the petitioner which were earlier denied by her but in fact the signatures were not denied on the agreement by the petitioner rather it was the stand taken

by her that her signatures were obtained by the petitioner on two cheques by way of security. Moreover, the ground on which the bail order has been cancelled does not appear to be a valid and genuine one, though the FIR was registered way back on May, 2016 but the investigation is still stated to be in progress and report under Section 173(2) Cr.P.C. has not so far been presented.

Taking into consideration all the aforesaid aspects of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of the concerned Investigating Officer but subject to the conditions that she shall join the investigation as and when required by the police and other conditions as envisaged under Section 438(2) Cr.P.C.

August 22, 2016
m. sharma

(JASPAL SINGH)
JUDGE

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