

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

CRM-M-39232 of 2016
Date of Decision: 19.12.2016

Prince Sharma

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

SNEH PRASHAR, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure (Cr.P.C.) for directing the Ilqa Magistrate/Investigating Officer to release the petitioner on bail in the event of his arrest in case First Information Report No.140 dated 22.09.2016 under Sections 420,465,467,468,471 and 120-B of the Indian Penal Code registered at police Station Dayalpura, District Bathinda.

The submissions made by Mr. K.S. Brar, Advocate representing the petitioner and Mr. C.S. Brar, DAG, Punjab for the respondent-State have been heard.

The accusation against the petitioner is that he had approached the Manager, ICICI Bank, Civil Lines, Bathinda with a blank cheque bearing signatures of some person. Since the cheque was blank it was returned to the petitioner by the Manager.

Learned counsel for the petitioner submits that it is not the allegation that the petitioner had withdrawn any amount from the bank by presenting any such cheque.

Learned State counsel also resist the application of the petitioner but he does not dispute that there is no allegation of withdrawal of any amount from the bank by the petitioner by using a forged cheque.

In view of the facts and circumstances of the case and without going into the merits of the case, the instant petition for anticipatory bail filed by the petitioner is allowed. In the event of his arrest, he will be admitted to anticipatory bail to the satisfaction of the Arresting Officer, subject to the following conditions:-

- (1) that he shall make themselves available for interrogation by the Investigating Officer as and when required;
- (2) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and ;
- (3) that he shall not leave India without prior permission of the Court.

The petitioner will appear before learned trial Court within 30 days from the date he is admitted to bail by the Arresting Officer and will file application for regular bail. On his doing so, he will be admitted to bail on furnishing bonds to the satisfaction of learned trial Court.

December 19, 2016

rashmi

(SNEH PRASHAR)
JUDGE

Whether Reasoned/Speaking?

Yes/No

Whether Reportable?

Yes/No