

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

Sr. No.203

CRM NO. M-6858 of 2016
DECIDED ON: August 24, 2016

AMARJIT SINGH

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sukhwinder Singh Chatrath, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J. (ORAL)

This is a petition preferred by the petitioner under Section 438 Cr.P.C. seeking pre-arrest bail in the event of his arrest in case bearing FIR No.37, dated February 09, 2016, under Sections 420, 406, 465, 467, 468, 471 & 120-B of IPC, registered at Police Station Ambala City.

While issuing notice of motion, following order was passed by a coordinate Bench of this Court on February 25, 2016:-

“Present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.37 dated 09.02.2016, under Sections 420/ 406/ 465/ 467/ 468/ 471/ 120-B of Indian Penal Code, registered at Police Station Ambala City.

FIR has been registered on the statement of the Chief Manager, Bank of India and the accusations are against one Kamal Kishore and his son Vishal Goswami of having

cheated the Bank. Accusations are that a loan was obtained from the Bank in the name of Kamal Kishore and subsequently the loanee was shown to have died by producing a forged death certificate.

The present petitioner is sought to be implicated on the basis of the disclosure statement of accused Kamal Kishore wherein he has stated that they had got the death certificate prepared from the petitioner.

It has been argued that it is a case of false implication. The petitioner is a scrap dealer and has no connection with any official of the Municipal Corporation, Ambala from where the forged death certificate was shown to have been issued. It is further submitted that petitioner otherwise is ready and willing to join investigation.

Notice of motion, returnable for 16.05.2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

On instructions from HC Rajesh Kumar, learned State counsel has submitted that petitioner has already been joined the investigation and he is no more required for further interrogation.

Taking into consideration the above facts, instant petition is allowed. Interim order dated February 25, 2016 is made absolute and shall enure till the disposal of the trial but subject to the conditions, as envisaged under Section 438(2) Cr.P.C.

August 24, 2016
Avin/Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No