

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

**Crl. Misc. No.M-14750 of 2017 (O&M)
Date of Decision: August 16, 2017**

Ashish Masih

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.S. Momi, Advocate
for the petitioner (s).

Mr. Ashish Yadav, Addl. A.G., Haryana.

Mr. Arun Sharma, Advocate
for complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 475 dated 20.09.2016 registered for the offences punishable under Sections 420, 467, 468, 471 read with Section 120-B of Indian Penal Code at Police Station Pehowa, District Kurukshetra.

Heard.

Learned counsel for the petitioner submits that the petitioner has joined the investigation. As per the allegations, the complainant had dealing with Sukhwinder Singh in which Manga Ram father of the petitioner was also involved. There is only one line allegation in the FIR that petitioner and other family members of petitioner were present, when

payment was made to Manga Ram. Except this, there is no other specific allegation against the petitioner.

Learned State counsel submits that in supplementary statement the complainant has named the family members of Manga Ram and has alleged that they had introduced him to Sukhwinder Singh and the money was paid to Sukhwinder in their presence.

Keeping in view the above fact that the petitioner has no direct role in the entire deal of complainant with Sukhwinder Singh and Manga Ram, but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 01.05.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

August 16, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***