

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

**Crl. Misc. No.M-15166 of 2017 (O&M)
Date of Decision: August 23, 2017**

Tinku @ Sanjiv

.....PETITIONER(s).

VERSUS

State of Haryana

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jitender Dhanda, Advocate
for the petitioner (s).

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

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. 32 dated 27.02.2017 registered for the offences punishable under Sections 419, 420, 467, 468, 471 read with Section 120-B of Indian Penal Code at Police Station Siwani.

Heard.

Learned State counsel submits that petitioner has joined the investigation which is still in progress. As per the disclosure statement of co-accused Sandeep, the identity proof of the complainant was supplied to him by the petitioner on which photograph of a third person was pasted. The petitioner after joining the investigation, is not co-operating with the police regarding preparation of that fake I-card and about the person whose

photograph was pasted on that I-card. The police has also to recover one SIM from the petitioner, which was given to him, as per the statement of Sandeep, who is the main accused in his case.

On query, the learned State counsel has submitted that mobile SIMs were issued on the application signed by Sandeep in the name of complainant. Except the statement of Sandeep, there is no evidence available with the police at this stage, about the fabrication of I-card of the complainant.

Keeping in view the above fact, this petition is allowed with a direction to the petitioner to keep joining the investigation as and when he is called and to co-operate with the police in this matter and the order dated 03.05.2017 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 23, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No