

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

**Crl. Misc. No.M-17890 of 2017 (O&M)
Date of Decision: August 22, 2017**

Tribhuwan, Headmaster

.....PETITIONER(s).

VERSUS

State of Haryana

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Prabhjeet Singh Sullar, Advocate
for the petitioner (s).

Ms. Harpreet Kaur, A.A.G. Punjab.

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. 72 dated 21.03.2017 registered for the offence punishable under Section 409 of Indian Penal Code at Police Station Nangal Choudhary, District Mahendergarh.

Heard.

Learned State counsel on instructions from SI Ashok Kumar submits that petitioner has joined the investigation which is still in progress. The police is looking into documentary evidence to verify the allegations levelled by the complainant. The custodial interrogation of petitioner is no more required for the purpose of further investigation as the entire case is based on documentary evidence.

Mr. Ashish Pannu, Advocate who is present in the Court, has put in appearance on behalf of complainant and filed power of attorney. He submits that it is a case where the government money was swindled by the petitioner by producing fake bills, as such, petitioner is not entitled to benefit of anticipatory bail.

The matter pertains to purchases made in the year 2009, 2010 and 2011. The allegations levelled by the complainant are to be verified on the basis of record. As stated by learned State counsel that the custodial interrogation of petitioner is no more required, this petition is allowed and the order dated 19.05.2017 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 22, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

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

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