

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

**Crl. Misc. No.M-19495 of 2017 (O&M)
Date of Decision: November 17, 2017**

Raj Kumar Sangwan

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

Mr. Sandeep Kumar, D.A.G. Punjab.

Mr. R.S. Athwal, Advocate
for respondent No.2.

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.08 dated 11.01.2017 registered for the offences punishable under Sections 465, 466, 467, 468 and 471 of Indian Penal Code(for short-IPC) and 409 IPC added later on, at Police Station Phase-1, Mohali, District SAS Nagar.

Heard.

Learned counsel for the petitioner submits that petitioner has joined the investigation and is fully cooperating with the investigating officer. The allegation of tampering with the record are not proved against him. Even otherwise, he has no motive to tamper with the record. In the statement of Dinesh Kumar Gupta recorded by Investigating Officer, who

has stated that there is some cutting/renumbering of the pages but he could not say as to which official has did it and with what intention.

Learned State counsel on instructions from HC Sanjiv Kumar submits that the allegation against the petitioner are that he had tampered with record on the asking of Gurnihal Singh, earlier M.D. Ex.IAS of Punjab Info-tec.

The Investigating Officer has not taken so far opinion of any hand-writing expert to make out that tampering or interpolation was done by the petitioner. The matter is still under investigation. It is, however, evident that petitioner is not a beneficiary of any tampering or interpolation of the record as alleged by the complainant.

In view of above facts but without expressing any opinion on the merits of the case, this petition is allowed and order dated 30.05.2017 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, which the trial Court will decide on the basis of evidence collected during investigation.

November 17, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE