

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

**CRM No.M-2142 of 2017 (O&M)
Date of Decision: 03.02.2017**

Raj Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Mr. Amardeep Sheoran, Advocate for
Mr. Vikram Singh, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.303, dated 01.12.2016, under Sections 420/467/471 IPC, registered at Police Station Sadar Narwana, District Jind.

Counsel for the parties have been heard at length.

The precise allegation in the instant FIR is that the petitioner who is a real uncle of Deep had connived with the other family members to get prepared forged documents and to present the same before the competent Court to sustain a plea for Deep to be declared a juvenile.

Pleadings on record would indicate that FIR No.227 dated 27.08.2016 was registered at the instance of Rajbir with the allegations that on 25.08.2015, his daughter who was a minor had been raped by Deep S/o Shamsher and Ramdiya S/o Suraj Bhan. FIR was registered under Sections 376(D)/452/365/506 IPC as also under Section 3 of the Scheduled Castes and Scheduled Tribes Act, 1989 as also under Section 6 of POSCO Act at Police Station Sadar Narwana.

On the last date of hearing i.e. 01.02.2017, Mr. Amandeep Sheoran, Advocate had appeared for the complainant and had contended that an inquiry stands conducted in the matter and there is a report of a senior police official which would indicate the direct role of the present petitioner of having procured signatures from the chowkidar to facilitate the preparation of such forged document.

In the light of such contention raised by counsel appearing for the complainant, hearing was deferred to today with a direction to the learned State counsel to complete instructions in the matter.

During the course of hearing today, an inquiry report furnished by Assistant Superintendent of Police, Narwana has been made available for perusal. The report on the face of it, demonstrates the complicity of the present petitioner wherein he has tried to influence the chowkidar in question to affix his thumb impression upon a document so as to reflect accused Deep in FIR No.277 dated 27.08.2016 as a juvenile.

Even the order of the competent Court dated 11.08.2016, whereby the prayer for Deep to be declared as a juvenile contains the observation that the documents relied upon are suspicious and manipulated.

In the considered view of this Court, the allegations against the petitioner are serious in nature. He is alleged to have played a direct role in attempting to secure an order from a Court of law based on manipulated documents.

Conduct of the petitioner, as such, dis-entitles him from the concession of pre-arrest bail.

Petition is dismissed.

03.02.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

i) Whether speaking/reasoned? Yes

ii) Whether reportable? No