

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

CRM NO. M-22561 OF 2017 (O&M)
DECIDED ON : 11.09.2017

Suresh Kumar

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. B.S.Kalsi, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.165 dated 09.06.2017 under Sections 181, 420, 466, 468, 471, 474 and 120-B IPC registered at Police Station Nakodar Sadar, Jalandhar.

The FIR has been registered on a written complaint made by the Judicial Magistrate Ist Class, Nakodar. The petitioner is a practising lawyer at Kangra (H.P.) and was representing accused Ram Sawroop before the JMIC, Nakodar in FIR No.73 dated 24.5.2013 under Sections 406, 498-A and 494 IPC, registered at Police Station Shahkot, on the complaint of Baby, wife of said Ram Sawroop. In the said case, the Trial Court had granted bail to accused - Ram Sawroop and one Pawan Kumar stood surety for him.

Subsequently, a complaint was made by Baby on 20.4.2014 to take action against Ram Sawroop and Pawan Kumar for furnishing forged documents in the Court. The matter was enquired into and it was revealed that there is no person by the name 'Pawan Kumar' residing at Shahkot and even the property details were found to be incorrect.

Ld. Counsel for the petitioner states that the accused is a practising lawyer at Kangra and he identified the surety (Pawan Kumar) and the documents after the same had been attested and identified by Amarjit Singh, Lambardar. As the petitioner is from Kangra, he did not personally know the surety and it was only a formal identification. As he had no reason to doubt the earlier attestation and identification by the Lambardar, he endorsed the same. It is stated that the petitioner had no knowledge or intention to make a wrong identification.

The Coordinate Bench of this Court vide order dated 23.06.2017 had directed the petitioner to join investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from SI Bakshir Singh, states that in pursuance to the order dated 23.06.2017, the petitioner has joined investigation and is not required for custodial interrogation.

In view of the above and without expressing any opinion on the merits of case, the order dated 23.06.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

11.09.2017

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1. Whether speaking/reasoned : YES/NO

2. Whether reportable : YES/NO