

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-23227 of 2017
Date of Decision: 14.11.2017

Avtar Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. S.P. Arora, Advocate
for the complainant.

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.221 dated 29.03.2017 registered for offences punishable under Sections 420, 465, 467, 468 and 471 of Indian Penal Code (for short 'IPC'), at Police Station City Fatehabad, District Fatehabad.

Heard.

Learned counsel appearing for complainant submits that petitioner in connivance with his brother-in-law Nishan Singh forged agreement dated 29.08.2012 on behalf of complainant in favour of Nishan Singh. A civil suit was filed on the basis of that agreement, which was decreed and decree passed in that civil suit has been challenged by complainant on two counts; firstly, that counsel, who appeared on behalf of complainant, was never engaged by him. Rather he was counsel for Nishan Singh; and secondly, that agreement dated 29.08.2012, is a forged

document. The civil suit filed by the complainant is pending.

Learned State counsel submits that custodial interrogation of the petitioner is required to take his specimen signatures and also to enquire about details of preparing agreement dated 29.08.2012.

Learned counsel for the petitioner submits that petitioner is not denying his signatures on agreement, which he claims to be a genuine document, still he is ready to give his specimen signatures for comparison by the handwriting expert.

Keeping in view above facts and that civil suit pertaining to agreement dated 29.08.2012 filed by complainant is still pending and that the petitioner is admitting his signatures on the agreement, this petition is allowed and order dated 05.07.2017 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.

November 14, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No