

CRM-M-34267-2016

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

CRM-M-34267-2016

Date of Decision:17.08.2017

Rajesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Pankaj Bali, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. Chirag Wadhwa, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Rajesh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.1134 dated 03.12.2015, registered at Police Station City Karnal, under Section 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

CRM-M-34267-2016

From the record, I find that as per the FIR, allegation is mainly in respect of tampering with the cheque. However, learned counsel for the petitioner stated that the petitioner has already filed a complaint much before the registration of the present FIR, which is still pending before the Magistrate. The case is based on documentary evidence.

In pursuance of the interim order dated 23.12.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 23.12.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

17.08.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No