

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

207

CRM-M-37572 of 2017

Date of decision: November 29, 2017

Sajjan Singh @ Sajjan Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. S.R. Hooda, Advocate for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks pre-arrest bail in FIR No.0242 dated 18.04.2015, under Sections 420, 467, 468 & 471 of Indian Penal Code and Sections 25, 54 of Arms Act, 1959, registered at Police Station Sadar, Bhiwani, District Bhiwani.

Allegation against the petitioner is that he had forged the documents regarding address proof etc. which shows that he was resident of State of Nagaland. Acting on those documents, petitioner got arms' licence from Nagaland. During investigation, it was found that the documents on the basis of which, the licence was obtained from Nagaland, were forged and accordingly the reports were collected from the Deputy Commissioner of Dimapur, Nagaland.

Now, counsel for the petitioner makes a statement that the revolver which was found in possession of the petitioner, in respect of

the said licence, has been deposited back to the East Police Station Dimapur, Nagaland.

On instructions from ASI Radhey Shyam, learned counsel for the State also affirms the above said fact.

In that view of the matter, there is no point in denying the petitioner for anticipatory bail being a first offender. However, the petitioner put the government to suffer cost for investigation and sending the police officials to Nagaland and only because of the acts of the petitioner.

Hence, in my opinion, the petitioner must compensate the State of Haryana, the money which was used because of the activities of the petitioner.

In that view of the matter, following order is passed:-

Rule is made absolute in terms of the prayer clause, which read as under:-

“In view of the above, it is therefore respectfully prayed that this petition may be allowed and in case the local Police intend to arrest the petitioner then they may be directed release the petitioner on bail in the interest of justice.

It is further prayed that interim pre-arrest bail may be granted to the petitioner during the pendency of this petition in this Hon'ble High Court in the interest of justice.”

Petitioner is granted anticipatory bail in FIR No.0242

dated 18.04.2015, under Sections 420, 467, 468 & 471 of Indian Penal

Code and Sections 25, 54 of Arms Act, 1959, registered at Police Station Sadar, Bhiwani, District Bhiwani, subject to the payment of Rs.20,000/- (non-refundable) with the SP, Bhiwani for being forfeited of the State of Haryana within a period of 10 weeks.

If the cost is not deposited within a period of 10 weeks from today, this order shall come to an end without reference to the Court and the Police shall be at liberty to arrest the petitioner.

Disposed of.

(A.B. CHAUDHARI)
JUDGE

November 29, 2017
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Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No