

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CRM-M-4263 of 2017**

**Date of Decision: 19.04.2017**

Rajesh Kumar

....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Jagjeet Beniwal, Advocate  
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

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**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. 308 dated 08.10.2015 registered for offences punishable under Sections 426, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short 'IPC'), at Police Station Dadri City, District Bhiwani.

Heard.

Learned State counsel on instructions from ASI Balbir Singh submits that petitioner has joined the investigation but has opposed the grant of bail to him with the plea that the police has yet to recover the stamp used on the transfer certificate of 9<sup>th</sup> class, which was found to be fake.

Learned counsel for the petitioner submits that petitioner has not taken any benefit of the alleged transfer certificate as he had already passed the matriculation examination from National Institute of Open School in the year 2015.

Keeping in view the submission of learned counsel for the

petitioner, I am of the opinion that the petitioner cannot be declined the benefit of anticipatory bail on the mere ground that recovery of stamp used on the alleged fake transfer certificate has not been effected from him.

In view of above fact that the petitioner has joined the investigation but without expressing any opinion on merits of the case, this petition is allowed and order dated 09.02.2017 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.

**April 19, 2017**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No