

CRM-M-45969-2016

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

CRM-M-45969-2016

Date of Decision: 21.02.2017

Pawan Kumar Prabhakar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Manoj Kumar, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Pawan Kumar Prabhakar 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.214 dated 18.11.2016, registered at Police Station City Phagwara, District Kapurthala, under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code.

Notice of motion has been issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that FIR has been got registered by Yatish Prabhakar, real brother of the petitioner. As per the allegations, the petitioner got prepared false Will of Vijay Kumar, Krishan Payari and Hem

CRM-M-45969-2016

Raj to commit fraud with the complainant. The case is based on the 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. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner 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.

21.02.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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