

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

Criminal Misc.No.M-12547 of 2018 (O&M)

Date of Decision : 29.08.2018

Shamsher Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Preetinder S.Ahluwalia, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

RAJ SHEKHAR ATTRI, J. (Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of anticipatory bail in case FIR No.90 dated 31.05.2014, registered under Sections 420, 465, 468, 471 and 120-B IPC at Police Station Cantt. Ferozepur, District Ferozepur.

Learned counsel for the petitioner has submitted that one Sohan Singh, whose son namely Gurmail Singh is nominated in the aforesaid FIR, has filed an affidavit accusing the petitioner for duping an amount of Rs.20,000/- but lateron he filed another affidavit (Ex.P6) wherein he has stated in para Nos.4, 5 and 6 as under:-

“That while taking the benefit of our fear and restlessness, Shiv Kumar got procured an affidavit from me against one Shamsher Singh, Mob.98725-51834, resident of Mansa. I am illiterate and Shiv Kumar got scribed the affidavit at his own. He got my thumb impressions on the affidavit. Even the allegations levelled against Shamsher Singh were not read over to me.

That I and my son did not personally know Shamsher Singh

and we have no financial dealing or any agreement with said Shamsher Singh.

That now Shiv Kumar is postoning the matter on one pretext or the other. My payment may be got refunded from Shiv Kumar and the case registered against my son be quashed and appropriate legal action be taken against Shiv Kumar.”

Learned State counsel has submitted that the petitioner has joined the investigation and nothing is to be recovered from him.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Resultantly, the interim order dated 15.05.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

**(RAJ SHEKHAR ATTRI)
JUDGE**

29.08.2018
mamta

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No