

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1)

Crl. Misc. No.M-14149 of 2018 (O&M)
Date of Decision: September 05, 2018

Raj Kumar and others

.....PETITIONER(s).

VERSUS

State of Haryana and another

....RESPONDENT(s).

(2)

Crl. Misc. No.M-14379 of 2018 (O&M)

Nishan Singh

.....PETITIONER(s).

VERSUS

State of Haryana and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sumit Jain, Advocate
for the petitioner (s).

Mr. Amrik Narwal, D.A.G. Haryana.

Mr. R.S. Mamli, Advocate
for the complainant-respondent No.2.

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in complaint case No.115-1 of 2015 dated 03.06.2015 titled as “Subeg Singh Vs. Raj Kumar etc.” filed under Sections 420, 467, 468, 471 read with Section 120-B and 506 of Indian Penal Code, wherein the petitioners have been summoned to face trial vide order dated 20.01.2018.

Heard.

Learned counsel for the petitioners submits that petitioners

have surrendered before the trial Court and have been allowed interim bail

and trial is in progress.

Learned counsel appearing on behalf of complainant submits that it is a serious case, where the petitioners have lodged false FIR against complainant-respondent No.2 which after investigation was cancelled. Due to the forgery of documents by the petitioners, the complainant had to file the complaint in which they have been summoned to face trial, as such, they should not be allowed anticipatory bail.

Petitioners have been summoned to face trial in a complaint case. All the allegations are based on documentary evidence for which custodial interrogation of petitioners is not required. After surrendering of the petitioners, trial of the case is in progress.

Keeping in view the above facts but without expressing any opinion on merits of the case, both the aforementioned petitions are allowed. Orders dated 05.04.2018 passed in CRM-M-14149-2018 and dated 06.04.2018 passed in CRM-M-14379-2018 are made absolute, subject to the following terms:-

- (i) that the petitioners shall keep on appearing before trial Court regularly;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court;

September 05, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No