

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

CRM No.M-23380 of 2018 (O&M)

Date of Decision: July 10, 2018

Om Parkash

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vikas Bishnoi, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

Mr.Ajay Jain, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.31 dated 10.01.2018 under Sections 406, 420, 467, 468, 471 and 120-A IPC, registered at Police Station Sadar, Hisar.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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

As per allegations of the prosecution, a blank cheque was given

to the petitioner, which was misused by him and was handed over to some

other person to file a complaint under Section 138 of the Negotiable Instruments Act.

On the other hand, learned counsel for the petitioner argued that the complainant has forged an affidavit as he had blank signed papers of the present petitioner and an FIR was also got registered against him.

The case is based on documentary evidence. Nothing is to be recovered from the petitioner.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, he shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

However, nothing stated above, shall constitute my opinion on merits of the case.

July 10, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No