

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

201

CRM-M-24066-2018

Date of decision: 20.06.2018

NARESH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Santosh, Advocate for
Mr. Partap Singh, Advocate for the petitioner.

Ms. Kirti Singh, DAG, Haryana

RAJBIR SEHRAWAT, J. (Oral)

Learned counsel for the petitioner submits that the name of the petitioner is not mentioned in the FIR. The allegation in the FIR regarding submitting the fake insurance cover note is against one Ram Diya. The petitioner has nothing to do with the cover note as such.

On the other hand, learned State counsel, on instructions from ASI Dinesh Kumar, submits that the name of the petitioner cropped in the disclosure statement of abovesaid Ram Diya during investigation. Ram Diya has stated that the cover note in question was given to him by the petitioner. Therefore, the complicity of the petitioner is proved by the disclosure statement of the co-accused.

Evidently the name of the petitioner does not find mention in the FIR. Even perusal of the alleged cover note shows that it is signed by the authorized signatory of the company and the name of that person as

mentioned on the cover note as authorised signatory is not Naresh Kumar. Therefore, prima facie it does not appear that it is the petitioner who has prepared this alleged false cover note. Moreover, the cover note contains a serial number as well, which means that the booklet containing cover note is issued by the company to someone of the authorised agents of the company. In such a situation the liability, if any, would be upon the person to whom that cover note was issued. It is not the case of the company that booklet with above mentioned serial number of cover note was not issued to any agent or from its office.

In view of the above, the petitioner is granted the concession of anticipatory bail. He shall be released on bail by the Arresting/Investigating Officer in case of his arrest in this FIR, subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner 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.

Disposed of.

(RAJBIR SEHRAWAT)
JUDGE

20.06.2018

ashok

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No