

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

**CRM-M No. 3613 of 2018
Date of Decision: 12.2.2018**

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Kunwar Pal and another

.....Petitioners

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Sandeep Singh Ghangas, Advocate
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The petitioners seek grant of anticipatory bail in case bearing FIR No. 974 dated 2.11.2017, registered under Sections 406/ 420/ 467/ 468/ 471/ 120-B IPC and Sections 489A/489-B IPC (added later on), at Police Station Model Town Panipat.

As per allegations, petitioner No.2, who is the owner of M.G. Enterprises, Jahangirpuri, Delhi, along with Satpal, Sanjay and Ajay allegedly visited factory premises of the complainant and gave demand draft of ₹ 3,50,000/- for the supply of mustard oil (vehicle load). Complainant delivered full loaded vehicle of mustard oil and this fact has not been disputed by the petitioners. The demand draft in the sum of ₹ 3,50,000/-

was allegedly forged inasmuch as that the demand draft was got

prepared for ₹ 3,500/- and later on it was forged into ₹ 3,50,000/- . Names of petitioner No.1 Kunwar Pal and brother of co-accused Ajay, namely, Deepak were inserted in the concluding part of the FIR and allegations of conspiracy were made against them as well.

At this stage, since the goods were delivered to the petitioners and the demand draft, which was issued in the name of the complainant was found to be forged, no case for the grant of anticipatory bail is made out in favour of petitioner No.2.

Hence, petition qua petitioner No.2 is dismissed.

However, keeping in view the alleged role played by petitioner No.1, he is entitled to join the investigation.

Accordingly, petitioner No.1 Kunwar Pal is directed to appear before the Investigating Officer to join the investigation on 16.2.2018 at 11.00 a.m. In the event of appearance of petitioner No.1, he shall be enlarged on bail on his furnishing bail bonds to the satisfaction of Investigating officer subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that petitioner No.1 shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that petitioner No.1 shall not, directly or indirectly, make any inducement, threat or promise to any

person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

iii) that petitioner No.1 shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Petition stands disposed of.

February 12, 2018

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No