IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-38475-2018
Date of decision: 22.11.2018

Sangat Singh **...Petitioner**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. R. S. Mamli, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. *(Oral)*

The petitioner prays for grant of anticipatory bail in FIR No. 0399 dated 15.06.2018, registered under Sections 177, 181, 200 and 420 of the IPC at Police Station Suraj Kund, District Faridabad.

The operative part of the order dated 04.09.2018, vide which the petitioner has been granted interim bail, is reproduced below:

> **"Counsel for the petitioner has submitted that as per the allegation in the FIR, which was registered on a complaint given by one Manjit Singh son of Puran Singh, the petitioner is holding 02 Voter ID cards, one in Delhi and one in Haryana in District Faridabad. It is further submitted that, in fact, the petitioner and the aforesaid Manjit Singh are having a civil litigation and the counsel has drawn reference to the judgment dated 28.11.2017 (Annexure P5) passed by the Civil Court at Tes Hazari Court, Delhi wherein the complainant – Manjit Singh was plaintiff No.2 and petitioner is defendant No.1. It is also submitted that the petitioner has even moved an application on 05.05.2015 before the Electoral Registration Officer, Assembly Constituency, New Delhi, for deleting his name from the electoral role of constituency and later on, the same stands cancelled vide Annexure P4 and therefore, delay in deleting the name was not on part of the petitioner. Counsel for the petitioner has further argued that except for the allegation that the**

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petitioner is holding 02 Voter ID cards in different constituency, there is no allegation that he has misused the same in any manner and the allegations against the petitioner that he is facing trial in other criminal litigation is factually incorrect as the petitioner stands acquitted in FIR No.122 of 2014, which was got registered by one of the relative of Manjit Singh and the other FIR registered under Sections 406 and 498-A IPC, at the instance of the daughter-in-law of the petitioner, stands cancelled. Notice of motion for 22.11.2018."

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 04.09.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from HC Surinder Kumar, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 04.09.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

November 22, 2018 **(ARVIND SINGH SANGWAN)**
Waseem Ansari **JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*

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