

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

**CRM-M No.44313 of 2017(O&M)
Date of Decision: 17.02.2018**

Rajnish Verma and anr.

..... Petitioners

Versus

State of Haryana and ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. D.K. Bhatti, Advocate for the petitioners. .

Mr. Manish Bansal, D.A.G, Haryana.

Mr. D.K. Singal, Advocate for the complainant.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner seeks his release on anticipatory bail in F.I.R. No.245, dated 09.10.2017, under Sections 405, 406, 420, 463, 465, 470, 471, 506 and 120-B of the Indian Penal Code, registered at Police Station Sector 14, Panchkula, Haryana.

2. Petitioners are two brothers. Petitioner No.2 happens to be a partner along with the complainant in the Firm “M/s Fair Deal Enterprises” engaged in the trade of jewellery as well as electrical goods.

3. Background of the matter is that at an earlier stage petitioner himself had lodged an FIR with the Chandigarh Police reporting about the robbery/heist allegedly committed in the premises of “M/s Shiva Jewellers,”

but after investigation the police found the petitioner himself to be the master mind behind the robbery which was determined as having been stage- managed by himself, on account of which he was taken into custody and remained in detention for a period of over 5 months till his release on bail on 26.10.2016. It has been made out on behalf of the State that the plan behind the stage-managed robbery was to claim illegal compensation from the General Insurance Company, by falsely alleging theft of the jewellery but the same was subsequently recovered by the police itself and is presently in custody of the Chandigarh Police.

4. Background behind is that present FIR is that according to the complainant who is a partner of petitioner No.2, some more jewellery was fraudulently transferred from “ M/s Fair Deal Enterprises” to the Firm “M/s Shiva Jewellers” under forged bills and documents, which subsequently became known to the complainant who thereafter lodged the FIR on 09.10.2016/21.03.2017.

5. The offences involved in the present FIR are restricted to fraudulent transfer of the certain jewellery in favour of the Firm “M/s Shiva Jewellers”, under alleged false and fictitious documents.

6. The documents in question have already been seized by the Investigating Officer in the present case after being produced before him by the complainant himself. As such, whether or not the purported signatures of the complainant thereupon are actually forged is what remains to be determined. For this limited purpose, custodial interrogation of the petitioners would not appear to be called for, since learned counsel for the State on instructions from ASI Balkar Singh, has stated that the

investigating agency at this stage only needs the sample handwritings and signatures of both the complainant as well as the petitioners to determine the truth.

7. In this view of the matter, the petitioners may be released on bail to the satisfaction of the Investigating Officer subject to their complying with the necessary conditions and envisaged under Section 438 (2) Cr. P.C.

9. Disposed off.

17.02.2018
Jyoti-IV

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No