

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

CRM-M No.48355 of 2017 (O&M)

Decided on: 16.03.2018

Darbara Singh

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. K.S. Brar, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.40 dated 11.05.2017, registered under Sections 420, 465, 467, 468, 120-B, at Police Station Arniwala, District Fazilika.

While issuing notice of motion, the following order was passed by this Court on 24.01.2018:-

“Allegations against the present petitioner are that he secured employment under the Army on the basis of a forged and fabricated Scheduled Caste Certificate.

The categoric contention raised by counsel is that the petitioner was recruited in the Army against the reserved Backward Class category and not under the Scheduled Caste

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category. Further submitted that in any case the requisite certificate of reserved category and on the strength on which the petitioner was recruited is already in the possession of the employer.

List on 16.3.2018.

In the meanwhile, petitioner is directed to join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Judge Singh, Police Station Arniwala, District Fazilika apprises the Court that the petitioner has since joined investigation. Under such circumstances custodial interrogation of the petitioner is not required.

In view of the categoric stand taken on behalf of the State, prayer is allowed.

Order dated 24.01.2018, passed by this Court is made absolute.

Disposed of.

[TEJINDER SINGH DHINDSA]
JUDGE

March 16, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No