

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

1. **CRM-M No. 38691 of 2018**
Date of Decision:-11.07.2019

Madan Lal @ Madan Lal Jain

...Petitioner

Versus

State of Haryana

...Respondent

2. **CRM-M No. 38681 of 2018**

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

3. **CRM-M No. 40596 of 2018**

Bajrang

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Pratham Sethi, Advocate

for the petitioner(s).

Mr. Kuldeep Tiwari, Addl. A.G. Haryana.

Ms. Garima Sharma, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

These three petitions have been filed by the accused persons for grant of anticipatory bail in case FIR No.264 dated 19.9.2017, under Sections 120-B, 420, 467, 468 and 471 IPC, registered at Police Station Civil Lines, Bhiwani, District Bhiwani.

The FIR was registered on the basis of a complaint given by Sachin Kaushik, who was working as Computer Operator in the office of D.I.T.S., Bhiwani. On 24.8.2017, D.I.T.S. Office, Bhiwani has received an application on behalf of accused Sandeep Kumar under the Right to Information Act, 2005. After receipt of the application, it was noticed that the same echoes the voice of similar application earlier moved by co-accused Madan Lal, who was directed to make a payment of approximately Rs.1,36,000/- towards the charges for delivering the said information. It was noticed that the second application by Sandeep was to avoid the payment and the said application was at the instance of first applicant, namely, Madan Lal. It is the BPL Card of Sandeep, which was utilised to seek the exemption of payment under the RTI Act which stood delivered to Bajrang, who is another accused, indicted on the strength of Section 120-B IPC.

After hearing the counsel for the petitioner(s), this Court had issued notice of motion in all these petitions and interim protection was

extended to them vide separate orders.

Learned counsel for the petitioner(s) contends that pursuant to the said order, the petitioners have joined the investigation and have co-operated. This fact is not disputed by learned counsel appearing on behalf of State, who is assisted by ASI Dalsher Singh. It is further contended by him that except for mobile phone, allegedly used in the crime by Sandeep is to be recovered otherwise there is no necessity for custodial interrogation of the accused. It is further submitted that Bajrang is also required for identifying the place, where the alleged forgery was committed.

At this stage, learned counsel for the petitioner(s) contends that the petitioner(s) would again join the investigation and do the needful as pointed out by learned State counsel.

Considering above, the petitions are allowed and the interim bail granted by this Court vide order dated 28.11.2018 is made absolute. However, it is made clear that this order shall remain operative only till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

July 11, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No