

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

**CRM-M No.47310 of 2018 (O&M)
Date of Decision : 07.02.2019**

Amit Jain

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Shakti Mehta, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Amit Jain, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.729 dated 11.10.2018 registered under Sections 381/467/468 (wrongly mentioned as 478 IPC in impugned order dated 18.10.2018), 471/34 IPC at Police Station Gurgaon Sadar, District Gurugram.

On 20.11.2018 the following order was passed:-

“CRM-39349-2018

For the reasons mentioned in the application, the present application is allowed and the main case is preponed from 3.12.2018 to today.

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The petitioner claims that he resigned from the company on 23.3.2018 and the same was accepted on the same day vide

Annexure P-5. However, learned State counsel submits that after resignation, he ceased to exist as the director of the company but he had issued cheque on 29.5.2018 in favour of Narinder Kumar by forging the signature of Sudip Sharma.

On the other hand, counsel for the petitioner submits that in fact the company has forged his signatures and the petitioner is ready to give his specimen signatures and handwriting.

Learned State counsel submits that standard signatures of Sudip Sharma has already been obtained from HDFC Bank.

In this view of the matter, it is ordered that the petitioner should submit his specimen signatures and handwriting before the learned Magistrate within a week who will in return submit his report before this Court.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) (i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

List on 3.12.2018.”

Learned State Counsel on instructions from ASI Satish Kumar accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 20.11.2018 is made absolute subject to the conditions envisaged under

Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

07.02.2019

pooja sharma-I

(AJAY TEWARI)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No