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

CRM-M-23445 of 2019

Date of decision: October 03, 2019

Kuldeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Singhal, Advocate for
Mr. Ajay Ghangas, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.0042 dated 08.02.2016, under Sections 419, 420 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Madhuban, Karnal, District Karnal.

On 22.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Prayer in this petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.0042 dated 08.02.2016, registered under Sections 419 and 420 IPC at Police Station Madhuban, Karnal.

According to the prosecution, on 10.08.2015, when the petitioner, after his selection as Clerk in Bank of Baroda, Karnal Region went to join his service, complainant-Assistant Manager of the employer Bank on tallying the

signature of the petitioner on his joining letter with his application form, which he initially filled up at the time of applying the aforesaid job in the Bank became suspicious. Consequently, he got compared the specimen signatures of the petitioner on the application form with his admitted signatures appended at the time of his joining from Forensic Science Laboratory, who opined that both the signatures were not of the one and the same person, rather, were of different person. Consequently, Assistant Manager of Bank of Baroda, lodged aforesaid FIR against the petitioner for committing forgery and fraud for getting clerical job in the Bank.

Learned counsel contends that petitioner is innocent and he has falsely been implicated. No recovery is to be effected from him. He is ready to join the investigation.

Notice of motion.

At the asking of the Court, Mr. Munish Sharma, AAG, Haryana has accepted notice on behalf of the respondent-State. Let requisite number of copies of the paper book be supplied to learned State counsel, during the course of the day.

List on 03.10.2019.

In the meantime, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Umesh Kumar, has pointed out that petitioner has joined investigation and his custodial interrogation is not required. Further stated that after

investigation, cancellation report has been prepared in the matter and the same is likely to be submitted before the Court of Competent jurisdiction shortly.

In view of the above, order dated 22.05.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

October 03, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No