

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

CRM No. M-6789 of 2018

Date of Decision : 22.04.2019

Vijay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rohit Mittal, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking anticipatory bail in FIR No.1059 dated 17.09.2017, under Sections 170, 171, 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Ballabhgarh, District Faridabad.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and the allegations in the FIR are that co-accused Vikas had impersonated his brother Paramjit, who was a candidate for examination to the post of conductor. Petitioner has been arraigned as an accused on the basis of disclosure statement of co-accused Vikas that he had helped in solving the paper and had prepared forged ID Card in favour of Vikas reflecting him to be part of the checking staff. Learned counsel for the petitioner further submits that co-accused Vikas has already been released on regular bail. He also contends that the petitioner has joined investigation in terms of interim order dated 19.02.2018.

Learned State counsel, on instructions from ASI Satyawan, submits that although the petitioner has joined the investigation and has

been released on interim bail but he is not cooperating in the investigation and has not furnished the documents including ID Card. Mobile phone and two sim cards, are yet to be recovered from him.

At this Juncture, learned counsel for the petitioner, however, contends that the investigating officer has been demanding illegal gratification from the petitioner which was recorded in the CD, on the basis of which inquiry is being conducted against the police officials and they have been placed under suspension.

Learned State counsel is not in a position to controvert that the investigating officer has been suspended during the pendency of the inquiry.

In view of the submissions of learned counsel for the petitioner especially when the petitioner has joined the investigation, interim order dated 19.02.2018 granting ad-interim bail to the petitioner is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C..

The petition stands disposed of accordingly.

April 22, 2019

rekha sharma

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned?

Yes

Whether reportable?

No