

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-27638 of 2019
Date of Decision: 19.09.2019

Ajay Kumar Jain

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Manish Kumar Singla, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

Mr. Devender S. Punia, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.291 dated 26.06.2019 registered for offences punishable under Sections 468 and 471 of Indian Penal Code, at Police Station City Tohana, District Fatehabad.

Heard.

Learned State counsel on instructions from ASI Pawan Kumar submits that the petitioner has joined the investigation, which is still pending and his custodial interrogation is no more required for the purpose of further investigation of the case.

Learned counsel for the complainant submits that 120 persons have filed affidavits before the police that the election petition filed by the petitioner is not bearing their signatures and the same are forged by him.

Learned State counsel further submits that the police has

recorded statements of several persons who have submitted that their signatures are genuine. However, one of the person, who had signed election petition filed by the petitioner, was found dead.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and order dated 03.07.2019 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

September 19, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No