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

CRM-M-29279 of 2019

Date of decision: September 12, 2019

Pritam Yadav

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jagbir Singh, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

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.55 dated 04.03.2019, under Sections 420, 467, 468, 471 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Dadri City, District Charkhi Dadri.

As per prosecution case, petitioner forged his date of birth documents in order to participate in the recruitment process of the Army.

On 12.07.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that as per the allegation of the prosecution, petitioner has shown his date of birth as 20.10.1998 instead of 08.08.1992, but there is nothing wrong. Further contends that all documents are with the Army Authorities, thus, the prosecution agency is well within its power to recover the same.

Notice of motion for 12.09.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from Head Constable Vinod Kumar, has stated that in terms of order dated 12.07.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 12.07.2019 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

September 12, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No