

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

**CRM-M-31149-2019
Date of decision: 09.09.2019**

Sukhwinder Singh @ Sukha

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. S. Sandhu, Advocate &
Ms. Benti Kaur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 2 dated 22.06.2017 under Sections 419, 465, 467, 468, 471, 511, 120-B IPC, registered at Police Station NRI Moga, District Moga.

The operative part of the order dated 16.08.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner submits that as per the allegations in the FIR registered at the instance of one Harjit Singh, it is stated that he owns agriculture land in his village and came to know that co-accused Harnek Singh, is a person of dubious character, is involved in criminal cases of fraud and remained in judicial custody for six months, had forged an application form for obtaining loan against his agriculture land from Axis Bank and in this process he had prepared the fake Voter ID-Cards of complainant and his wife Rajbir Kaur.

Counsel for the petitioner has further referred to the FIR in which, it is stated that while conducting the

inquiry, it was found that when the official of Axis Bank, Moga visited the village, the said official met a fake Harjit Singh and when he asked him to give name of one of the person known to him as per the bank rules, a person standing near to him introduced himself as Harnek Singh (co-accused) and he further stated that he is the paternal uncle (Chacha) of the aforesaid fake Harjit Singh. On identification of the address given in the application, it was found that the address is of co-accused Harnek Singh which is mentioned in the loan file.

Counsel for the petitioner further submitted that all the allegations in the FIR are against Harnek Singh and after he was arrested by the police, petitioner is nominated on the basis of a disclosure statement in which Harnek Singh has stated that two fake persons were introduced by the petitioner apart from preparing the fake documents.

Counsel submits that the disclosure statement of Harnek Singh is contrary to the verification done by the Bank official and even in the inquiry, the revenue record i.e. the Khasra, Girdawari and Jamabandi was found to be in the name of complainant Harjit Singh.

Learned State counsel on instructions from ASI Nachhattar Singh states that the petitioner be directed to join the investigation to verify the aforesaid facts.

List again on 09.09.2019.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 16.08.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Nachhattar Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 16.08.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

09.09.2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>