

207-2

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

CRM-M-35935 of 2019

Date of decision: September 30, 2019

Moti Ram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. Arun Beniwal, DAG Haryana.

Mr. Deep Prabhu, Advocate for the complainant.

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.197 dated 06.06.2019, under Sections 406, 420, 120-B of the Indian Penal Code, 1860 (for short 'IPC') (Section 409 of IPC added later on), registered at Police Station Pinjore, District Panchkula.

On 13.09.2019, this Court has passed the following order:-

“Reply by way of affidavit of Ramesh Gulia, HPS, Assistant Commissioner of Police, Kalka, filed by learned State counsel, today in Court, is taken on record. A copy thereof has been supplied to the counsel opposite.

Perusal of Paragraph-3 of the same reveals that the petitioner has prepared fake bills to the tune of ₹35,600 and ₹44,400 (total ₹80,000/-).

Learned counsel for the petitioner contends that the

petitioner is ready to refund the above amount, within a period of one week from today, subject to final adjudication of this case.

Adjourned to 30.09.2019, for further consideration.

Petitioner will deposit the above amount of ₹80,000/- in the designated account of the HMT Employees Co-operative Consumer Society Ltd. In the meanwhile, petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, 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) of Code of Criminal Procedure, 1973.”

It has been pointed out by learned counsel for the petitioner that in terms of previous order dated 13.09.2019, an amount of ₹80,000/- has already been deposited by the petitioner and the same is acknowledged by learned State counsel, on instructions from ASI Yashpal Singh. Learned State counsel has also acknowledged that in terms of order dated 13.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 13.09.2019 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 30, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No