

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

CRM M-44975 of 2019 (O&M)

Date of Decision: November 16, 2019

Raj Kumar

.....Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

Mr. Vishwajeet, Advocate for the complainant.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off anticipatory bail application under Section 438 Cr.P.C. moved in FIR No. 281 dated 24.07.2019 under Sections 406, 420, 467, 468, 471 and 494 IPC, Police Station Civil Lines, Jind, District Jind.

The allegations against petitioner Raj Kumar are to the effect that he accompanied the principal accused/non-applicant Kuldeep Singh to the house of complainant Suman, where principal accused Kuldeep Singh had shown her a divorce decree, which was in fact a false and fabricated document and performed marriage with her.

Mr. Narinder S. Lucky, learned counsel for the

petitioner, *inter alia*, contends that there is no role attributed to the petitioner and that nothing is to be recovered from him. The same is sought to be opposed by learned State counsel Mr. Baljinder Virk, DAG, Haryana assisted by Mr. Vishwajeet, learned counsel for the complainant on instructions of SI Mahender Singh on the ground of seriousness of allegations.

Going through the submissions of the two sides that no specific role is attributed to the petitioner and the fact of his mere accompanying the principal accused, who was instrumental in preparation and showing the alleged divorce decree claimed to be forged document are matters of trial and considering the fact that culpability, if any, of the petitioner shall be determined at the trial which is not likely to be concluded in the near future, the present petition is allowed. Therefore, in the event of arrest, the petitioner be released on bail to the satisfaction of Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. Thereafter, will be released on regular bail upon presentation of challan.

Disposed of.

November 16, 2019

amit rana

(FATEH DEEP SINGH)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No