IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-54855-2018
Date of Decision: 01.02.2019

Ranbir Singh Bawa

... Petitioner

Versus

Union Territory of Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Saurabh Sharma, Advocate,
for the petitioner.

Mr. Rajiv Sharma, APP, U.T. Chandigarh.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.11 dated 10.01.2013, registered at Police Station Sector 39, Chandigarh, under Sections 420, 463, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned APP for U.T. Chandigarh has put in appearance on behalf of the respondent and contested this petition.

I have heard learned counsel for the petitioner as well as learned APP for U.T.Chandigarh and gone through the record.

As per the prosecution version, a receipt regarding conveyance deed (C-1) has been forged by the main accused, Tirath Singh. The

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allegation against the present petitioner is that he is an attesting witness to the said receipt.

In pursuance of the interim order dated 11.12.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. He is not the main accused and nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 11.12.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

01.02.2019 **(INDERJIT SINGH)**
parveen kumar **JUDGE**

Note: Whether speaking/reasoned : Yes
Whether reportable : No

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