

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

(201)

CRM-M-16404-2020 (O&M)

Date of Decision: July 22, 2020

Jasbir Singh

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nonish Kumar, Advocate, for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

Mr. Aman Mittal, Advocate, for the complainant.

HARSIMRAN SINGH SETHI, J.(ORAL)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

The petitioner is seeking anticipatory bail in FIR No. 54 dated 29.05.2020, under Sections 420, 465, 468, 471 and 120-B IPC, registered at Police Station Sanaur, District Patiala.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 07.07.2020. Order dated 07.07.2020 is as under:-

“CRM-15367-2020

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this application, the complainant in the FIR seeks to be impleaded as a respondent in the accompanying petition by which the petitioner seeks the concession of anticipatory bail.

Notice in the application.

Learned counsel for the State and counsel for the petitioner accept notice and do not object to the application being allowed, which is consequently allowed and the complainant in the FIR, i.e. Major Singh (stated to be the Manager of the Punjab State Federation of Cooperative House Building Society, known as 'HOUSEFED'), impleaded as respondent no. 2 in the accompanying petition.

The amended memo of parties is also ordered to be taken on record.

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By this petition, the petitioner seeks the concession of 'pre-arrest bail' upon FIR No. 54 having been registered against him at Police Station Sanaur, District Patiala, on 29.05.2020, alleging therein the commission of offences punishable under Sections 420, 465, 468 and 471 read with Section 120-B of the IPC.

Learned counsel for the petitioner submits that the petitioner was not the person who had taken a loan from the complainant and in fact the allegation against him is that he helped the prime accused to forge a redemption certificate qua the loan taken by them, in connivance with one Balkar Singh, with him further submitting that in fact Balkar Singh is a person with whom the prime accused had actually some other dispute.

Upon query to learned State counsel, he submits as per his instructions and as per investigation carried out, the petitioner is alleged to have obtained/prepared false letterheads etc. of the complainant firm/company, i.e. of HOUSEFED.

Learned counsel for the complainant points to that part of the FIR in which the allegation against the petitioner is that he in connivance with Balkar Singh “got issued fake redemption certificates”.

Having considered the matter, without making any comment on the actual merits of the case, simply because, at this stage, no signatures of the petitioner are found on any

document and further no record of any telephonic conversation between him and the other accused has also been brought to the notice of this court, upon the petitioner immediately joining investigation, in case he is sought to be arrested, he would be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate. He shall, further, abide by all the conditions stipulated in Section 438(2) Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.

Learned State counsel has submitted that the petitioner must provide his standard signatures to the investigating officer, as also his standard hand-writing to enable the same to be compared with the hand-writing on the fake certificates.

That being so, the petitioner is directed to do the needful, failing which the interim order issued today, shall stand vacated.

Adjourned to 22.07.2020”.

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Jagjit Singh, Police Station Sanur, Patiala states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 07.07.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 22, 2020
harsha

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