

CRM-M-27194-2021

Date of Decision: 27.10.2021

Gurpreet Singh

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Ms. Sukhpreet Kaur, Advocate for the petitioner.
Mr. C.L. Pawar, Sr. DAG, Punjab.

B.S. Walia, J. (Oral)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.0050 dated 13.06.2021 registered under Sections 419,420,465,467,468 and 471 IPC at Police Station Hathur, District Ludhiana Rural.

3. On 15.07.2021, the following order was passed:-

“ Prayer is for grant of anticipatory bail in case FIR No.0050 dated 13.06.2021 under Sections 419,420,465,467,468,471 IPC registered at Police Station Hathur District Ludhiana Rural.

FIR was registered on the complaint of Gurpal Singh, who is the brother of father of petitioner, namely Harpal Singh. Allegations in the complaint are that father of the petitioner, namely Harpal Singh got himself recruited in the Indian Army on the basis of school Certificates of the complainant Gurpal Singh. During his entire service record, Harpal Singh was known as Gurpal Singh.

While getting himself recorded in Indian Army, the petitioner also declared his father's name to be Gurpal Singh instead of Harpal Singh.

Learned counsel for the petitioner contends that while being recruited in Indian army, the petitioner had relied on the

Matriculation Certificate wherein name of father of the petitioner is shown as Gurpal Singh. He is not guilty of any misrepresentation. At present, the petitioner is posted as Sepoy.

Notice of motion for 11.10.2021.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *ASI Richpal Singh*, confirms that pursuant to the order of this Court dated 15.07.2021, the petitioner joined investigation, fully cooperated with the police, was released on an interim pre-arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 15.07.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions contained in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

27.10.2021

‘Rajneesh/GSV’

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