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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.29713 of 2021 (O&M)

Date of decision: 29.07.2021

Parveen Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rakesh Nehra, Sr. Advocate
with Mr. Atul Ravish, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.80 dated 04.03.2021 registered under Sections 419, 420, 465, 468, 471 IPC at Police Station PGIMS, Rohtak.

Learned senior counsel for the petitioner has argued that as per the allegations in the FIR, the petitioner had applied for D-Ed examination. It is further submitted that at the time when the exam was to be held, the petitioner, who is serving in Indian Army, was posted at Kupwara in Kashmir and he could not procure leave for the said purpose. It is also submitted that it is the case of the prosecution that in place of the petitioner, the co-accused Hari Om has appeared.

Learned senior counsel for the petitioner has also submitted that there is no evidence that on the asking of the petitioner, the co-accused has appeared in the exam in place of the petitioner.

Counsel for the State has, however, submitted that the co-

CASE HEARD THROUGH VIDEO CONFERENCING

accused is the brother of the petitioner, who was arrested at the spot and was released on regular bail.

After hearing the counsel for the parties, considering the fact that the petitioner is serving in Indian Army presently and on the date of registration of the FIR, he was on duty in Kashmir, therefore, it will be a matter of trial whether the co-accused has appeared on the asking of the petitioner or not as he was not present at the spot.

Accordingly, the present petition is allowed and In the meantime, the petitioner is directed to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of the Court.*

It will be open for the Investigating Officer to ask the petitioner to join the investigation as and when required by him by giving an advance notice in writing.

(ARVIND SINGH SANGWAN)
JUDGE

29.07.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No