

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

204

CRM-M-5660-2022

Date of decision: 01.08.2022

MALKIT SINGH

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Ram Kumar Saini, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The petitioner has filed the instant petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case bearing FIR No.142 dated 09.07.2020 registered under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 at Police Station Bhondsi, District Gurugram.

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner has joined investigation pursuant to the interim order dated 25.02.2022 passed by this Court. He further contends that no recovery is to be effected from the petitioner.

3. Per contra, learned counsel appearing on behalf of the respondent-State contends that the petitioner was instrumental in forging the Aadhar Card of Seema Madan who impersonated as Ayesha Chaudhary. Furthermore, a bank Account was also got opened by Seema Madan on the basis of the fake identity of Ayesha Chaudhary and the amount in question was eventually transferred to the said Account.

4. Learned counsel for the petitioner contends that assuming

the allegations to be correct against the petitioner, the recovery of forged Aadhar Cards cannot be effected from the petitioner since the said Aadhar Card would be in possession of the persons who impersonated as Ayesha Chaudhary viz. Seema Madan/Sarika.

5. Learned counsel appearing on behalf of the petitioner further makes a reference to the disclosure statement of Sonia Tandon (Annexure P-2) wherein she has stated that she and her husband have the knowledge of technical works and used to prepare the forged documents. It is further stated in the said disclosure statement that one Malkit Sardar @ Lucky who is a friend of her husband used to get the forged sale deeds and she along with her husband used to prepare forged documents and open fake Accounts. In the second disclosure statement of Sonia Tandon which is appended with the present petition as Annexure P-3, she further submits that she along with her husband, Sunil arranged meeting of Seema Madan with Malkit Sardar @ Lucky and that even Seema Madan was inducted in the offence by them.

6. In view of the above and without commenting any further on the merits of the present case, the present petition is allowed and the interim order dated 25.02.2022 is made absolute.

7. However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438 (2) Cr.P.C.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 01, 2022

Vishal sharma

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