

Aish Mohd. Vs State Of Haryana

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: July 8, 2019

Acts Referred: Indian Penal Code, 1860 " Section 420, 467, 468, 471

Hon'ble Judges: Amol Rattan Singh, J

Bench: Single Bench

Advocate: Saleem Ahmed

Final Decision: Dismissed

Judgement

Amol Rattan Singh, J

By this petition, the petitioner seeks the concession of anticipatory bail after an FIR was registered against him alleging therein commission of

offences punishable under Sections 420/467/468/471 of the IPC.

The allegation against the petitioner is that after he had filed a claim petition before the learned Motor Accident Claims Tribunal, Nuh, he produced by

way of evidence, medical bills, in the first of which the amount shown to have been paid by him was Rs.1880/-, in another an amount of Rs.2700/- and

in the 3rd, an amount of Rs.4740/-.

When the Pharmacist, who is stated to have issued those bills, was examined as a witness, i.e. one Musthak Ahmed, he stated that the first bill was

actually for a sum of Rs.880/-, the next one was for Rs.200/- and the 3rd was for Rs.440/-.

The photocopies of the original bills were produced as exhibits before the Tribunal.

In view of the above, the learned Tribunal directed that an FIR be registered against the petitioner, on the ground that he had committed forgery by

making alterations and additions in the aforesaid bills that were exhibited before it. Thus the FIR came to be registered.

Learned counsel for the petitioner submits that the petitioner would appear before the trial Court and therefore his custody not being required, he may

be granted the concession of anticipatory bail.

He further submits that the amounts involved, even if forgery is eventually proved (which otherwise naturally he denies), are so small that the

petitioner deserves the said concession.

Having considered the matter, in my opinion the question is not of the amount of forgery that is alleged to have taken place but the fact that the

petitioner, as per the finding of the learned Tribunal, actually submitted forged bills to a court of law (Tribunal).

Considering the aforesaid and seeing that the FIR was directed to be registered at the instance of the learned Tribunal itself, I find no ground to grant

the petitioner the concession of anticipatory bail. Consequently, this petition is dismissed.

However, nothing stated herein above would be taken to be an observation on the merits of the case for or against the petitioner, which naturally

would be decided in the light of the evidence led before the appropriate Court.

As regards the concession of regular bail to the petitioner, upon the petitioner appearing before the trial Court and filing any application for the

purpose, the trial Court would decide the said application within a period of one week.