

(2012) 02 P&H CK 0066

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-2269 of 2012 (O and M)

Vikram

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision: Feb. 6, 2012

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 173, 438, 438(2)
- Penal Code, 1860 (IPC) - Section 420, 467, 468, 471

Hon'ble Judges: Kanwaljit Singh Ahluwalia, J

Bench: Single Bench

Judgement

Kanwaljit Singh Ahluwalia, J.

This Court, on January 24, 2012, had passed the following order:

The present petition has been filed u/s 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case arising out of FIR No. 317 dated 23.9.2011, registered at Police Station Mahesh Nagar, Ambala Cantt, District Ambala, under Sections 420, 467, 468 and 471 IPC.

Learned counsel for the petitioner contends that in the FIR, it is stated that the mobile phone, used by the petitioner, was in the name of Dharambir, brother of the complainant. According to learned counsel, the complainant has alleged that the identification documents given by him have been misused by the petitioner. Learned counsel further submits that it is a case of mixing up of genuine documents by the authorized dealer.

Issue notice of motion to the Advocate General, Haryana, for 6.2.2012.

Meanwhile, in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and he will also abide by the conditions as specified u/s

438(2) Cr.P.C.

2. Counsel for the State, on instructions from Hannu Ram SI, Police Station Mahesh Nagar, Ambala Cantt, states that the petitioner has joined the investigation and is no longer required for custodial interrogation by the investigating agency.

3. For the reasons stated in order dated January 24, 2012 and in view of the statement made by Counsel for the State, the present petition is accepted. The order dated January 24, 2012, granting interim pre-arrest bail to the petitioner, is hereby affirmed and it is ordered that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting/investigating officer. However, he shall continue to appear before the investigating agency as and when called-for till filing of a report u/s 173 Cr.P.C. He shall also abide by the conditions specified u/s 438(2) Cr.P.C. On submission of the report u/s 173 Cr.P.C., the petitioner shall be permitted to furnish regular bail bonds to the satisfaction of the trial Court.