

**(2010) 11 P&H CK 0581**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** Criminal Miscellaneous M.M. 29265 of 2010

Jasbir Singh

APPELLANT

Vs

State of Haryana

RESPONDENT

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**Date of Decision:** Nov. 19, 2010

**Hon'ble Judges:** M.M.S. Bedi, J

**Bench:** Single Bench

**Final Decision:** Allowed

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**Judgement**

M.M.S. Bedi, J.

The Petitioner seeks the concession of pre-arrest bail in a case registered on the basis of a secret information to the effect that non Petitioner Gurpreet Singh indulges in sale and purchase of stolen vehicles on the basis of fake documents. Said Gurpreet Singh was apprehended with a canter along with fake registered documents. He had sold the said vehicle to another person Jaspal Singh. So far as the Petitioner is concerned, he is alleged to have facilitated the preparation of fake registration certificate of the said vehicle, recovered from Gurpreet Singh. The evidence against the Petitioner is in the shape of a statement of Gurpreet Singh made to the police during interrogation. A perusal of the record indicates that he is dealing in the sale of forms for transfer of vehicles in the close vicinity of DTO office. The petition for pre-arrest bail has been opposed inter alia on the ground that the Petitioner has not cooperated in the investigation.

2. After hearing learned Counsel for the parties and going through the nature of the evidence collected against the Petitioner, it does not Cr. Misc. M M 29265 of 2010 appear to be a case where custodial interrogation of the Petitioner is required. In case the Petitioner is suspected to be an accused in any other matter of preparation of specific fake documents of any vehicle, it will always be open to the prosecution agency to register a separate case against the Petitioner and arrest him for custodial interrogation. So far as the present case is concerned, in view of the only evidence in the shape of statement of an accomplice, the Petitioner can be granted

the concession of pre-arrest bail,

3. Accordingly, the petition is allowed and interim order dated 5.10.2010 is hereby confirmed and it is ordered that in case of arrest of the Petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the condition that the Petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. He will not indulge in the preparation of fake documents and transfer of stolen vehicles. In case of violation of any of the above said conditions, it will be open to the prosecution agency to seek the cancellation of pre-arrest bail.