

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 760 OF 2008

[Arising out of SLP(Crl.) No.3828/2007]

SHIV KUMAR

... APPELLANT(S)

:VERSUS:

STATE OF HARYANA

... RESPONDENT(S)

ORDER

Leave granted.

Having heard the learned counsel appearing on behalf of the appellant and the learned counsel appearing for the State, even assuming that prima facie a case has been made out for proceeding against the appellant for committing forgery in respect of his 10+2 examinations, keeping in view the fact that the same was done in the year 1990 and the First Information Report has been lodged in 2006, we are of the opinion that it is not a case where the pre-arrest bail granted in favour of the appellant should have been cancelled. We, therefore, in supersession of the order passed by the High Court, direct that the appellant in the event of his arrest and/or surrender, shall be released on bail on furnishing bail bond for Rs.10,000/- with two sureties each of the like amount, to the satisfaction of the Trial Court, subject to the condition that the appellant as and when

directed to do so by the Investigating Officer, shall make himself available before the Investigating Officer and shall cooperate with the investigation till a charge-sheet is filed. The appeal is disposed of with the aforementioned observation and direction.

.....J
(S.B. SINHA)

.....J
(LOKESHWAR SINGH PANTA)

NEW DELHI,
APRIL 28, 2008.