

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Cr.M.No.M-14049 of 2015 (O&M)
DATE OF DECISION : 26.5.2015

Shri Bhagwan

PETITIONER

VERSUS

State of Haryana

RESPONDENT

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Shri Rajesh Arora, Advocate for the petitioner.

Shri P.S.Chauhan, Additional A.G. Haryana.

Shri Pratap Singh, Advocate for the complainant.

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C. praying for release of the petitioner on pre-arrest bail in a case registered vide F.I.R. No.184 dated 13.3.2015 under Sections 420,467,468,471 I.P.C. at Police Station Civil Lines, Gurgaon.

According to the F.I.R., the petitioner is alleged to have forged some document in order to grab a land and school property which is being run by the

society. The F.I.R. would also disclose some dispute amongst members about the affairs of the society and execution of the sale deed regarding school land on 19.10.2011. The complainants have alleged that the petitioner had got the signatures of a few members of the society forged to oust some of them from the affairs of the society. In short, the allegations are that the record of the society has been forged to cheat the society. The petitioner alleges that Registrar of the Society has looked into the matter and found no discrepancy.

Besides this, learned counsel for the petitioner contends that there is an appropriate remedy under the Cooperative Societies Act where in the event of a dispute as indicated in the F.I.R., the appropriate authority would have the power and in the event of the complaint being found correct, penal provisions existing.

Learned counsel for the respondents, on the other hand contend that affidavits/records furnished by the petitioner to the Investigating Officer are all forged and therefore, custodial interrogation of the petitioner would be necessary.

I have heard learned counsel for the parties and noticed that the dispute centres primarily around the mis-management of the affairs of the society regarding which there would be appropriate remedies under the Act. Besides, the petitioner has joined the investigation pursuant to the order dated 13.5.2015.

Having regard to the aforesaid, the interim direction given vide order dated 13.5.2015 is made absolute.

Petition stands allowed.

May 26, 2015
GD

(MAHESH GROVER)
JUDGE