

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRL. MISC. No.M-15862 OF 2015 (O&M)
DATE OF DECISION : 25th MAY, 2015

Rakesh Sharma

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

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Present : Mr. Rajeev Kaswan, Advocate for the petitioner.

Mr. Baljinder Singh Virk, Deputy Advocate General, Haryana.

Mr. Ajay Kamboj, Advocate for the complainant.

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SURINDER GUPTA, J. (ORAL)

This petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No.120 dated 28.04.2015 registered for offence punishable under Sections 420, 467, 468, 471 and 120-B IPC at Police Station Ellenabad, District Sirsa.

Heard.

The allegations against the petitioner are that Bhagat Singh, brother of the complainant had fabricated a will Dated 02.08.2011 alleged to have been executed by Ajit Singh, who died on 04.09.2011.

Learned counsel for the petitioner submits that the Will is a registered document. The main beneficiary is namely Bhagat Singh and witness of will Pala Ram and witnesses have been allowed benefit of interim bail in this case.

The petitioner in this case has been arrested on 30.03.2015. The case is based on documentary evidence. The investigation is under process.

Keeping in view the above facts, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Rakesh Sharma is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sirsa, subject to following terms:

- (i) The accused shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

25th May, 2015
'raj'

(SURINDER GUPTA)
JUDGE