

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

CRM-M No.17810 of 2014 (O&M)

Date of Decision: 28.09.2015

Baljit Singh

..... Petitioner

Vs.

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ish Puneet Singh, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for respondent No.1/State along with HC Avtar Singh.

Mr. Narinder Singh Lucky, Advocate for respondent No.2.

JASWANT SINGH, J. (Oral)

Present petition under Section 482 Cr.P.C. is for quashing of FIR No.220 dated 02.08.2013, under Sections 419, 420, 465, 466, 471 and 120-B of the Indian Penal Code, registered with Police Station Sadar, Jalandhar (**Annexure P-1**), based on the enquiry report dated 31.10.2013.

Upon notice, reply on behalf of the State has been filed.

From the perusal of the reply, it emerges that one Resham Kaur was the owner of the land in question and she died issueless on 25.05.2012. Complainant-Rajwinder Kaur @ Rajinder Kaur through her attorney-Kuldeep Singh filed a complaint dated 26.04.2013 with the allegations that the deceased-Resham Kaur was illiterate and did not execute any Will during her lifetime. It was further alleged that the accused persons including the petitioner-Baljit Singh

had connived with the Revenue Patwari and other officials to prepare a forged and fabricated Will and accordingly got the mutation entered in their name. Upon registering of the aforesaid FIR, petitioner-Baljit Singh, Balwinder Singh @ Billa, Kashmir Kaur, Harbhupinder Singh and Vijay Kumar were arrested and upon completion of the investigation, challan has been presented. Upon investigation, one of the co-accused/Vijay Kumar was found innocent.

After hearing learned Counsel for the parties, it is evident that the material has been collected to show *prima facie* that the petitioner, the beneficiary of the Will, in connivance with other co-accused has prepared a forged and fabricated Will and tried to usurp the property of deceased-Resham Kaur. It would be a matter of trial as to whether the offence has been committed or not.

At this stage, no ground for interference in the matter is made out.

In view of the above, the present petition stands dismissed.

September 28, 2015

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**(JASWANT SINGH)
JUDGE**