

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

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CRM-M No.19286 of 2015

Date of Decision: June 12, 2015

Bahadur Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vikas Bali, Advocate
for the petitioner.

Mr. A.S. Klar, A.A.G., Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court praying for grant of regular bail. Counsel for the petitioner contends that the petitioner has not been named in the F.I.R. and was arrested on 11.04.2015 and as of now is facing trial. He contends that he has been implicated as an accused on the basis of the statement given by Kamaljit Kaur, the main accused, who has on the basis of a forged power of attorney, sold the land of the complainant. The allegation against the petitioner, as per the statement of Kamaljit Kaur, is that the petitioner impersonated himself as Rajinder Singh-complainant and signed as Rajinder Singh on the said document. He contends that even in the statement before the trial Court, Rajinder Singh-PW-2 is insisting that Kulwinder Singh is the person, who has impersonated himself as the complainant when the power of attorney was executed. In any case, he contends that all the other co-accused except Paramjit Singh son of Paul Singh, who is husband of Kamaljit Kaur, who has been declared as a Proclaimed Offender, have been released on bail. Counsel contends that the

trial is not likely to conclude soon and, therefore, keeping the petitioner in custody would not serve any purpose, especially when the complainant has himself deposed before the trial Court.

Counsel for the respondent could not dispute the assertion, as has been made by the counsel for the petitioner. He, however, states that as the petitioner himself impersonated himself at the time of execution of general power of attorney as complainant, the concession of bail be not granted to him.

Considering the submissions made by the counsel for the parties and especially keeping in view the fact that the petitioner is neither named in the F.I.R. nor has the complainant in his statement as a witness i.e. PW-2 asserted that the petitioner is the person, who has impersonated himself at the time of execution of power of attorney and the other co-accused have been released on bail except for the one mentioned above, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Khanna, District Ludhiana.

June 12, 2015*Puneet***(AUGUSTINE GEORGE MASIH)
JUDGE**