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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.20179 of 2015
Date of Decision: 01.07.2015

MAHANT HARCHARAN DASS

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Harchand Singh Batth, Advocate
for the petitioner.

Mr. Varun Sharma, A.A.G., Punjab.

1. *Whether Reporters of local papers 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?*

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.96 dated 28.09.2015, under Sections 420, 465, 467, 468, 471 120-B IPC, P.S. Kabarwala, District Sri Muktsar Sahib.

Allegations are of forging Will of Kashmir Dass as well as death certificate. Mutation No.3701 was ultimately got sanctioned from Assistant Collector, Ist Grade. Validity of Will is sub-judiced in the civil Court.

In CRM-M No.4467 of 2015 titled as Avtar Singh v. State of Punjab, the factum of death of Kashir Dass (person other than

Mahant Ganesh Dass) having taken place in the house of Ex.Sarpanch Avtar Singh was admitted by the Police in affidavit filed by Manvinder Bir Singh, PPS, DSP, Sub-Division Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner states that Will was executed by said Kashmir Dass deceased and not by Mahant Ganesh Dass @ Mahant Kashmir Dass i.e. the present complainant.

The aforesaid contention would be debatable at trial. Petitioner is in custody since 19.04.2015. Offence is triable by Magistrate.

Learned State counsel states that challan is ready and is in the process of being filed in the Court.

Looking to the aforesaid facts and without embarking upon merits of the case, petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, Sri Muktsar Sahib.

Accordingly, this petition is allowed.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

July 01, 2015.

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**(RAJ MOHAN SINGH)
JUDGE**