

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

Crl.Misc.No.M-20729 of 2014 (O&M)

Date of Decision : 17.3.2015

Rajinder Kaur @ Harjinder Kaur and another

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.AS Barnala, Advocate
for the petitioners.

Mr. PJS Hundal, A.A.G. Punjab.

.....

MAHESH GROVER, J.

Petitioner No.1 is the niece of the complainant while
petitioner No.2 is her brother.

There appears to be a family dispute centering around
the estate left behind by the mother of the complainant Balbir
Kaur who is said to have executed a Will. It is now alleged by the
complainant that petitioner No.1 impersonated her at the time of
sanctioning of mutation while petitioner No.2 fabricated the
same. It is to be noticed that the mutation was sanctioned in the
year 2005 and the FIR has been registered after 8 years. Further
contends that the Forensic Science Laboratory had got the
signatures of the petitioners compared which found the statement
and the signatures to be that of the complainant.

If that is so, then the cumulative effect of the aforesaid fact would indicate a family dispute which has been now sought to be given a colour of a criminal offence after 8 years of the sanctioning of the mutation. Thus prima facie there would be some material in the shape of FSL report to indicate the presence of the complainant at the time of sanctioning of the mutation. Noticing these facts and also the fact that the petitioners have joined the investigation pursuant to the interim directions given by this Court, I would deem it appropriate to affirm the interim directions dated 17.6.2014 and while making the same absolute direct the petitioners to continue compliance of Section 438(2) Cr.P.C.

Petition stands allowed.

17.3.2015

(MAHESH GROVER)
JUDGE

dss