

CRM-M-21366-2015

[1]

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

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Date of decision: 04.12.2015

Santosh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Vikram Singh, Advocate,
for the petitioner.

Ms. Mahima, AAG, Haryana.

Mr. Bhupinder Singh, Advocate,
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.108 dated 04.03.2014, under Sections 406, 419, 420, 467, 468, 471 and 120-B of Indian Penal Code, 1860, registered at Police Station Indri, District Karnal.

Prosecution story, in brief, is that Mam Chand was the owner in possession of the property in question. After the death of Mam Chand his sons were cultivating the land in question. In the column of ownership name of Ram Sarup

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and Molar had been entered. Ram Sarup had died about 50 years ago and Molar had died about 35 years ago. Ravinder son of Satbir in the year 1994 got a will executed in favour of his mother Santosh (Petitioner). Ravinder had shown forged death certificates of Ram Sarup and Molar. On 01.01.2010, Ravinder got a mutation entered in favour of his mother Santosh. Thereafter, petitioner executed a sale deed in favour of Sunita qua the property in question.

Learned counsel for the petitioner has submitted that complainant has no concern with the property in question.

Learned State counsel who is assisted by the learned counsel for the complainant, on the other hand, has submitted that even Santosh was not related to the deceased. In fact Ravinder son of the petitioner had forged a Will in favour of the petitioner and thereafter petitioner had executed sale deed in favour of Sunita. Learned State counsel has further submitted that petitioner had failed to join investigation. Petitioner is required for custodial interrogation.

In the present case, allegations levelled against the petitioner are serious in nature. As per the prosecution story, on the basis of forged Will, petitioner had sold the property in question to Sunita Devi vide sale deed dated 22.03.2012.

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Further, petitioner had failed to join investigation and the learned State counsel has submitted that petitioner is required for custodial interrogation.

Dismissed.

December 04, 2015
kapil

(SABINA)
JUDGE