

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

(209)

CRM-M-22669-2015

Decided on: September 14, 2015.

Ashok Verma

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Naresh Gopal Sharma, Advocate, for the petitioner.

Mr. Jashan Preet Singh, AAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner is alleged to have prepared a false and fabricated Will of his father to deprive the other family members of the deceased. Mutation has also been got sanctioned on the basis of forged and fabricated Will.

Counsel for the complainant has intervened to oppose the application for bail contending that the petitioner is in the habit of fabricating documents. He had earlier forged four Wills in his favour.

After hearing counsel for the parties, it appears that the dispute is amongst the real brothers pertaining to the property of their father on the basis of alleged respective Wills in their favour. Since the litigation regarding the authenticity of the Will and inheritance of the property of the father of the petitioner and complainant is pending, the petitioner can be granted the concession of pre-arrest bail as arrest of the petitioner will not in any manner help the investigation.

Petitioner has joined investigation. The title of the property has not been decided and is still subjudiced. The mutation proceedings are also the subject matter of the civil litigation.

In such circumstances, this petition is allowed. It is ordered that in case of arrest of petitioner, he will be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the arresting officer subject to the following conditions:

- (1) Petitioner will join investigation as and when required.
- (2) Petitioner will not tamper with the evidence or hamper the investigation in any manner.
- (3) Petitioner will not commit any similar offence of which he is accused of, during the investigation/trial of this case.

Nothing said in this order will prejudice the right of the complainant in any civil litigation pending between the parties.

(M.M.S. BEDI)
JUDGE

September 14, 2015
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