

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

CRM M-26640 of 2014

Date of decision : 13.08.2015

Rupinder Kumar

....Petitioner

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Bedi, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Punjab.

Mr. Atul Goyal, Advocate for respondent no. 2.

RAJAN GUPTA J.

This is a petition filed under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 420/471/379/447/511 & 120-B IPC vide FIR No. 87 dated 12.07.2014 at Police Station Division No. 1, district Ludhiana.

Case was registered on the complaint of Ved Murari Lal. He alleged that a plot measuring 33 Sq. yards was purchased by Yogi Raj son of Ved Murari Lal. Complainant wanted to raise construction on this plot. At that time, petitioner produced a conveyance deed regarding the property. Petitioner asserted that his grand-father Dharam Paul had executed a Will dated 24.07.1976 in his favour on the basis of which property was inherited by him. This Will was got registered in the year 2010. While issuing notice of motion, this court had granted interim relief to the petitioner and he joined investigation. However, a statement was made before this court that petitioner could not produce the original document

before the investigating officer as he has apprehension that same would be destroyed. Petitioner was, thus, given liberty to produce the same before the trial court who would keep it in sealed cover. According to State counsel, petitioner has merely furnished a certified copy of the Will before the court. Original copy has not been produced. In view of same, his custodial interrogation is required. The pre-arrest bail application of the petitioner has been pending for the last one year. Various opportunities have been granted to the petitioner to join investigation. However, it appears that he had failed to cooperate with the investigating agency. Despite order dated July 16, 2015 passed by this court, petitioner had failed to produce the original document before the court. I am, thus, of the considered view that petitioner is not entitled to concession of pre-arrest bail. Dismissed.

August 13, 2015

Ajay

(RAJAN GUPTA)
JUDGE