

CRM No. M-33104 of 2014

-:1:-

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

**CRM No. M-33104 of 2014
Date of decision : 14.01.2015**

Sushma and another

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present:- Mr. Jitender Nara, Advocate
for the petitioners.

Mr. P.S.Poonia, Advocate
for complainant.

Dr. Sushil Gautam, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Learned State counsel submits that though the petitioners came present before the Investigating Officer yesterday, in terms of the order dated 16.12.2014, and have given their thumb impressions; however, they have not furnished the relinquishment/release deed purportedly issued by the complainant and her two sisters, namely Rajo and Santosh, in favour of her late brother Ajmer, husband of petitioner No. 1.

Learned counsel for the petitioner, on the other hand, submits that, as a matter of fact, the petitioners do not have the said release deed/relinquishment deed, as it was with the husband of petitioner No. 1,

who died on 12.06.2014 and as such, they could not have produced the said relinquishment/release deed.

He further submits that the malafides of the complainant are obvious, inasmuch as the FIR is stated to have been lodged on 03.07.2014, i.e. about 2 to 3 weeks after the death of the husband of petitioner No. 1, i.e. brother of the complainant, even though the relinquishment deed is of the year 2004.

On the other hand, learned State counsel, as well as Mr. Poonia, learned counsel for the complainant, submit that the copy of the relinquishment/release deed, as has been obtained by the Investigating Officer, clearly shows the two petitioners standing with Rajo, one of the sisters of the complainant, the other sister being Santosh.

In view of the above fact, though there may be something in what is contended by the learned counsel for the petitioner, with regard to lodging of the FIR 10 years after the alleged relinquishment/release deed was executed, and after the death of the husband of the petitioner No. 1, the fact still remains that the petitioners, atleast prima facie, as per the document produced before this Court, seem to have impersonated the complainant and her sister Santosh, before the Registrar, at the time of registration of the aforesaid relinquishment/release deed on 30.04.2004.

In view of the above, I see no reason to continue the concession of anticipatory bail granted to the petitioners.

This petition is, consequently, dismissed and the interim order dated 09.10.2014, by which petitioners were admitted to the concession of anticipatory bail as an interim measure is vacated and the bail granted is hereby cancelled. The bail bonds furnished, shall stand forfeited.

However, nothing said hereinabove will affect the investigation, or any defence which the petitioners may wish to produce in their favour, at any stage.

(AMOL RATTAN SINGH)
JUDGE

14.01.2015

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