

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
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CRM-M-36812 of 2014

Date of Decision: 12.01.2015

Jarnail Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Aman Dhir, Advocate
for the petitioner

Mr. Gazi Mohammad, DAG, Punjab
for the respondent-State

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The petitioner prays for grant of bail in anticipation of arrest in FIR No.24 dated 15.2.2010 registered at Police Station, Ajnala, District Amritsar for offence punishable under Sections 419, 420, 465, 467, 468, 471, 120-B of the Indian Penal Code (in short "IPC").

Counsel for the petitioner contends that the alleged forged general power of attorney is a registered document and is in favour of Sawinder Singh son of complainant Beer Kaur and the petitioner is neither an attesting witness to the said document nor beneficiary thereunder. The petitioner has been indicted in the crime on the plea that on the basis of alleged forged power of attorney, sale deed dated 22.7.2009 was executed by Sawinder Singh in favour of the petitioner and one Gurpreet Singh to the

extent of half share each in the land in question. The petitioner was not present at the time of execution of the said sale deed. The petitioner does not lay his claim to the land in question on the basis of sale deed dated 22.7.2009. He is ready to join investigation when otherwise his custodial interrogation is not required.

Counsel for the respondent has submitted that on completion of investigation challan was presented against Sawinder Singh and others but the present petitioner could not be arrested as he was evading his arrest and proceedings for declaring him proclaimed offender are pending. It is further submitted that keeping in view conduct of the petitioner, he is not entitled to seek indulgence of this court in anticipation of arrest.

I have heard counsel for the parties and perused the records.

Perusal of the record would reveal that in regard to criminal proceedings initiated in the year 2010, the petitioner filed application for grant of bail in anticipation of arrest before the Court of Sessions in March 2011 which was disallowed on 30.6.2011. Thereafter, the petitioner appears to have gone in hibernation and the investigating agency has initiated proceedings for declaring him as a proclaimed offender. Keeping in view conduct of the petitioner, I do not think it to be a fit case wherein the petitioner deserves to be allowed bail in anticipation of arrest, a concession to be allowed by the court.,

Dismissed.

(REKHA MITTAL)
JUDGE

12.01.2015
PARAMJIT