

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr.Misc. M 40894 of 2014
Date of decision:- 26.2.2015

Vishal Sood

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. Vishal Sharma, Advocate
Mr. CS Brar, DAG, Punjab
Mr. JS Jaidka, Advocate

M.M.S.BEDI,J.

The petitioner seeks the concession of pre-arrest bail in a case registered at the instance of complainant Vinod Kumar son of Ved Parkash cousin of the petitioner, alleging that the petitioner conspired with other relations to usurp the property of the complainant's father by submitting a forged affidavit of the complainant before the Electricity Department to get the electricity connection transferred in his name.

Counsel for the complainant has intervened to oppose the petition for pre-arrest bail by making available a photo copy of the affidavit of the complainant, which was allegedly submitted by the petitioner before the Electricity Department. He has submitted that there does not exist any stamp vendor in the name of Raghbir Singh, as per the information gathered under the RTI Act.

I have perused the letter received by the complainant from the competent authority, wherein the complainant has been asked to supply the business address and Tehsil where said Raghbir Singh has been sitting

and doing his business. Counsel for the complainant has also informed that that electricity connection has now been cancelled in the name of the petitioner but on account of the dispute, the complainant, at present, does not have any electricity connection.

After hearing learned counsel for the parties and going through the record, I am of the opinion that there is a dispute amongst the distant relations. It appears that the authenticity of the affidavit, purported to have been submitted by the complainant, pertaining to the electricity connection has to be determined by the investigating agency. Since no wrongful gain has been achieved by the petitioner from the alleged fabricated affidavit; he having joined the investigation, he can be granted the concession of pre-arrest bail.

Accordingly, the petition is allowed and interim order dated 29.11.2014 is hereby confirmed and it is ordered that in case of arrest of the petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the condition that he will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation.

February 26 , 2015
TSM

(M.M.S.BEDI)
JUDGE