

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

Crl. Misc. No.M-6159 of 2015

Date of Decision: 25.02.2015

Manjit Kaur and another

....Petitioners

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. A.S. Barnala, Advocate
for the petitioners.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No.08 dated 16.01.2015 under Section 82 of the Registration Act, 1908 and Section 120-B IPC registered at Police Station Tapa, District Barnala.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the case and the allegations levelled in the FIR are false. He further submits that the death certificate of Inder Kaur has been forged, whereas, she had given a Special Power of Attorney dated 05.06.2008 in favour of petitioner No.1 regarding land, in dispute. A civil litigation is pending before the Civil Court between the same parties.

Heard the arguments of learned counsel for the petitioner and have also seen the allegations in the FIR.

Inder Kaur, who is owner of the land, in dispute, died on 25.04.2009 and the registered sale deed was executed on 22.02.2010 i.e after the death of Inder Kaur. The allegations levelled in the FIR are that

the original owner of the land, in dispute, Inder Kaur had expired on 25.04.2009. Petitioner No.1-Manjit Kaur produced the death certificate and got the sale deed executed on behalf of Inder Kaur, whereas, she had already expired. Simply by saying that the death certificate has been fabricated and manipulated, is not sufficient as the same has been issued by the concerned competent authority and it cannot be said that the date of death is manipulated. For granting anticipatory bail, only the allegations in the FIR are to be seen, which shows that the alleged sale deed was executed after the death of owner of the land, in dispute.

No ground is made out to grant anticipatory bail to the petitioner and the petition, being devoid of any merit, is hereby dismissed.

25.02.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE