

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8509-2015

Date of decision: 20.03.2015

Nachhatar Lal

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Chanchal K. Singla, Advocate for the petitioner.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 297 dated 31.10.2014 registered under Sections 419/420/465/467/471/448/120-B of the Indian Penal Code (IPC) at Police Station Jodhewal, District Ludhiana.

I have heard learned counsel for the petitioner and carefully gone through the paper-book.

The FIR was registered on the complaints dated 05.10.2013 and 21.05.2014 made by Kaushaliya Devi owner of the property in question, on the allegations that petitioner has forged the rent deed purported to be executed by the complainant. The FIR was registered on 31.10.2014 i.e. one year after the complaint was made, after a thorough enquiry and obtaining the report of Forensic Science Laboratory to the

effect that thumb impressions of the complainant on the document are forged.

Learned counsel for the petitioner submits that before registration of FIR civil suit dated 31.08.2012 (Annexure P-2) was filed by the petitioner for permanent injunction restraining the defendant from forcibly dispossessing him. I am of the considered view that the petitioner cannot take advantage of the factum of filing the civil suit as the FIR has been recorded after a thorough enquiry.

In view of the *prima-facie* evidence collected against the petitioner which make the allegations quite serious, no ground is made out to grant pre-arrest bail to the petitioner.

Dismissed.

March 20, 2015
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(R.P. NAGRATH)
JUDGE