

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

Date of decision:05/05/2016.

Harbans Singh

.....Petitioner

VS

State of Punjab

.....Respondent

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.NS Sodhi,Advocate for the petitioner.

Mr.Kirat Singh Sidhu,DAG Punjab
assisted by ASI Jaswinder Singh

Jaswant Singh,J(Oral)

Prayer is for grant of anticipatory bail to petitioner-Harbans Singh in case FIR No.26 dated 13.2.2015 under Sections 420, 465, 467,468,120-B IPC, PS Dharamkot, District Moga.

As per allegations surfacing in the investigations, the petitioner/accused while being posted as a Halqa Patwari for Village Sherpur Taiba,while recording the jamabandi for the year 2000-2001,had tampered with the revenue record by illegally showing the ownership and possession of two sons of the cultivator-Bachan Singh,namely Gurmail Singh and Gurcharan Singh,which was otherwise owned by the Central Government.

It was contended that at the time of preparation of the Jamabandi concerned for the land in dispute, the petitioner was not In-charge of the Halqa, instead it was either Santokh Singh or Dyal Singh, who were custodian of the record at that relevant time.

Upon notice, reply by way of affidavit of Gurmail Singh, PPS, DSP Dharamkot, Distt. Moga has been filed stating therein that Deputy Commissioner, Moga has reported that petitioner remained posted as Patwari Halqa Village Sherpur Taiban from 19.3.2001 to 3.8.2001 during which period the tampering of the revenue record took place. It is further stated that petitioner was involved in as many as six cases of similar nature out of which in five cases he stands convicted whereas in one case he was acquitted.

In view of the contents of the reply filed, without commenting on the merits of the case, in my opinion, custodial interrogation of the petitioner is necessary for proper investigation of the case.

Dismissed.

05.05.2016
joshi

(Jaswant Singh)
Judge