

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19562 of 2016
DECIDED ON: August 29, 2016

JOGINDER SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Pt. Vinod Sharma, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, the petitioner has sought pre-arrest bail in case FIR No. 272, dated 24.11.2015, under Sections 420, 467, 468, 471 and 120-B IPC , Police Station Shahkot, District Jalandhar.

2. At the time of issuance of notice of motion, following order was passed by this Court:-

Prayer is for grant of anticipatory bail to accused petitioner Joginder Singh in case FIR No.272 dated 24.11.2015 under Sections 420,467,468,471,120-B IPC,PS Shahkot,Distt.Jalandhar.

One Sohan Singh vide registered Sale deed nos.155,156 and 157 dated 22.4.2013, sold 19 kanals and 11 marlas of agricultural land in Village Fatehpur and Mubarakpur to Gurudwara Teer Sahib/complainant, which was jointly owned by him and his sons (being their GPA

Holder).

The co-accused/non-applicant Balvir Singh is alleged to have forged the signature of the aforesaid Sohan Singh on an agreement to sell dated 22.3.2013 regarding sale of the aforesaid land to himself. The co-accused petitioner Joginder Singh alongwith co-accused Parkash Ram are the attesting witnesses to the alleged forged agreement to sell while the co-accused Gurpreet Singh, who is none else than the son of the principal accused-Balvir Singh, is alleged to have helped his father in the said conspiracy.

It is contended that petitioner is only a witness to the execution of the agreement between co-accused Balvir Singh and Sohan Singh and has not identified any alleged impersonator, if any, as Sohan Singh.

Notice of motion for 29.8.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C..”

3. On instructions from HC Surjit Singh, Police Station Shahkot, learned State counsel has categorically submitted that the petitioner has already joined the investigation on 02.07.2016 and submits that he is no more required for further interrogation. Moreover, co-accused namely Balbir Singh has already been granted the concession of bail vide order dated 25.07.2016 passed in CRM-M-21382-2016.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 01.06.2016 is made absolute but subject to the conditions provided under

Section 438 (2) Cr.P.C.

August 29, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*