

CRM-M No.2234 of 2016 (O&M)

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

CRM-M No.2234 of 2016 (O&M)

Date of Decision : 24.09.2016

Kashmir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Parminder Singh, Advocate for
Mr.Amit Arora, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

AJAY TEWARI, J. (Oral)

On 28.01.2016 the following order was passed:-

*“Prayer is for grant of anticipatory bail in case FIR
No.73 dated 11.12.2015 under Sections
419,420,465,467,468,471,120-B IPC registered at Police
Station Khilchian, District Amritsar (Rural).*

*Allegations against the petitioner are that he has
forged the affidavit dated 24.6.2008 of Charan Singh, who
died in 1998 and used the same for effecting the change of
ownership of the electric motor connection in his name from
the name of Charan Singh.*

*It is contended that the connection throughout was
situated in the land i.e Khasra No.11/16 owned by the
petitioner and even the stand of the LRs of Charan Singh*

except complainant's son is that they have sold the said electric connection to the petitioner.

Notice of motion for 11.2.2016. ”

On 11.02.2016 the following order was passed :-

“Learned State Counsel assisted by HC Mohinder Singh prays for time to file a detailed reply.

List on 01.04.2016.

Till the next date of hearing, in the event of his arrest, petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, he shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC.”

Learned Additional Advocate General on instructions from ASI Pawan Kumar states that the thumb impression of the petitioner has been obtained and the report of the FSL has come, as per which the thumb impression on the disputed documents are not capable of comparison.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 11.02.2016 is made absolute subject to the conditions envisaged under

Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

24.09.2016

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No