

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

CRM-M No.2551 of 2016 (O&M)

Date of Decision: 29.01.2016

Suresh Bhatia

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Mohinder S. Nain, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Inder Pal.

Mr. Damandeep Singh, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner in case FIR No.29 dated 10.02.2015 for the offences punishable under Sections 420, 465, 471, 467, 468 and 120-B of the Indian Penal Code, registered with Police Station City Rupnagar, District Rupnagar.

The aforementioned FIR was lodged at the instance of Sh. Harsimranjit Singh, Addl. Civil Judge (Sr. Divn.), Rupnagar in the light of his findings in a judgment dated 31.01.2015 (**Annexure P-4**), whereby the suit of the plaintiff-Bhupinder Singh for specific performance of the agreement to sell dated 11.05.2010 regarding purchase of land from Raghvir Singh/defendant No.1 was dismissed. It was found that the alleged agreement to sell dated 11.05.2010 with the recital of receipt of Rs.10 Lacs as earnest money was a forged antedated document as the Stamp Paper was concededly issued on 31.05.2013.

The relevant portion, extracted from Para 3 of the judgment dated 31.01.2015, reads as under:-

“ From the above facts and circumstances, it emerges beyond any cavil of doubt that the present agreement dated 11.5.2010 as well as receipt dated 20.6.2011 have been forged by the plaintiff in connivance with attesting witnesses, stamp vendor and others. Therefore, without any lurking doubt looming in my mind, the criminal case is required to be registered against the plaintiff, attesting witnesses namely Satish Kumar, Suresh Bhatia and Kuldeep Singh and even against others who have conjointly after hatching deep rooted criminal conspiracy committed this heinous crime for causing wrongful gain to themselves and wrongful loss to defendants No.1 and 2. ”

The petitioner/accused-Suresh Bhatia is one of the attesting witnesses to the forged agreement to sell dated 11.05.2010, which contains the recital of receipt of Rs.10 Lacs as well.

The petitioner is stated to be in custody since 22.11.2015.

Learned Counsel for the complainant and learned State Counsel have also been heard.

At this stage, learned Counsel for the petitioner/accused wishes to withdraw the present petition.

Dismissed as withdrawn.

January 29, 2016
Gagan

(JASWANT SINGH)
JUDGE