

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-33420 of 2016

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Date of decision:27.9.2016

Balwinder Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Kunal Dawar, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.119 dated 27.8.2016 registered for the offences under Sections 420, 465, 467, 468, 471, 474 and 120-B IPC at Police Station Sadar Phagwara, District Kapurthala.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition. Police record is also available.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

As per the allegations of the prosecution, a Will was forged after the death of Faquir Singh, father of the complainant. The main

allegation levelled in the FIR is that Jasvir Kaur was appointed as Lambardar after six months from the date of execution of the Will. In the Will it has been written as Lambardar Jasvir Kaur.

At the time of arguments, learned State counsel stated that so far no thumb impression or signatures were got compared to prove the forgery of the Will nor there is any finding of the Court etc. qua the forgery of the Will except only this allegation as stated above that Jasvir Kaur was shown as Lambardar, but she was not Lambardar at that time.

Learned State counsel states that the Investigating Officer is collecting the evidence in this case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the petitioner is not required for custodial interrogation. Therefore, I accept this criminal miscellaneous petition and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

September 27, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No