

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

CRM-M -42043 of 2015 (O&M)
Date of decision: 30.08.2016

Adarsh Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.
assisted by ASI Gurmail Singh.

Mr. Jaspreet Singh, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.117 dated 22.06.2015, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Sadar Patiala, District Patiala.

On 11.12.2015, this Court had passed the following order:-

“Petitioner is a lady practicing Advocate. She is alleged to have facilitated the fabrication of Will dated August 14, 2007 of Yashoda Devi.

Counsel for the petitioner submits that the only allegation against the petitioner is that he had drafted the agreement of sale of the property belonging to Yashodha Devi. Copy of the agreement of sale has been placed on record as

annexure P-4 indicating that on behalf of Yashodha Devi, Kiran Inder Singh claiming to be the general power of attorney of Yashoda Devi executed an agreement of sale regarding her property with Surinder Kumar and others. Counsel submits that a suit for specific performance has been filed by Surinder Kumar, Mukesh Sood and others against Yashoda Devi and others. Counsel submits that the matter having been compromised, the suit was withdrawn as such the agreement of sale purposed to have been falsely prepared has not been utilized for enforcing any legal rights by the alleged executors.

Notice of motion for February 11, 2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation as and when required by the investigating officer and in case of her doing so, she will be released on interim bail to the satisfaction of the arresting officer.”

It is contended that in pursuance of the order dated 11.12.2015, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.12.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

30.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No