

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

Date of decision:17.02.2016

Balbir Singh @ Baveer Singh

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Ms.GK Mann,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail in case FIR No.93 dated 16.5.2015 under Sections 420/120-B IPC,PS Lopoke, Distt.Amritsar Rural.

In sum and substance the allegation against present petitioner-Balbir Singh is that he has forged an un-registered Will dated 7.10.1996 executed by his mother-Smt.Mejo in his favour qua 8K15M,to the exclusion of rest of her legal heirs. At the time of sanction of the mutation in favour of the accused petitioner on the basis of a Will dated 29.6.1997, three of his brothers/LRs of executant Smt.Mejo namely Kashmir Singh, Darshan Singh and Sardul Singh had presented themselves and expressed no objection qua the said mutation. The said three brothers are as per prosecution,were dead on the said date. Thus somebody else by impersonating had appeared and granted

NOC in favour of petitioner-Balbir Singh, whose identity can be disclosed only by Balbir Singh.

Learned counsel for the petitioner submits that mutation has been challenged after 18 years and no offence for impersonation is alleged.

After hearing learned counsel and keeping in view the nature of allegations, it is apparent that complete and thorough investigation would be possible by custodial interrogation of the petitioner.

No ground for anticipatory bail is made out.

Dismissed.

17.02.2016
joshi

(Jaswant Singh)
Judge