

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

CRM-M- 43288 of 2015 (O&M)

Date of Decision: 19.09.2016

Syed Masoom Ahmad @ Jugnu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner(s).

Mr. Mr. Luvinder Sofat, AAG, Punjab.

Mr. APS Deol, Sr. Advocate with
Mr. Jaspreet Singh, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

The petitioner has filed instant petition under Section 438 of the Code of Criminal Procedure for grant of 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.

The learned counsel for the petitioner(s) states that the present FIR is the counter blast to the earlier civil litigation going on between the parties. The complainant along with her mother filed civil suit against Mohan Inder Singh and Kiran Inder Singh with regard to the Will dated 14.08.2007, made by grandmother of the

complainant, namely Yashodha Devi. Yashodha Devi had three sons namely Kunwar Kiran Inder, Kunwar Kumad Inder Singh and Kunwar Mohan Inder Singh. The complainant had filed civil suit on the ground that her grandmother had died intestate and therefore, her property had to devolve upon her and others on the basis of natural succession. The complainant had also challenged the Will executed by Yashodha Devi in favour of her son Kunwar Mohan Inder Singh. The petitioner has been unnecessarily dragged into the family dispute. He further states that the petitioner has not inherited or gained any property of Yashodha Devi. In pursuance of the order dated 22.12.2015, the petitioner has joined the investigation.

The learned State counsel as well as the learned counsel for the complainant submit that the petitioner(s) in conspiracy with other co-accused prepared false and fabricated Will of Yashodha Devi.

Heard the learned counsel for the parties and perused the record.

There are specific allegations against the petitioners that he in connivance with co-accused have prepared forged and fabricated Will of Yashodha Devi in favour of Mohan Inder Singh, son of the testator. Keeping in view the accusation of fraud and impersonation against the petitioner(s), this Court feels that custodial interrogation of the petitioner is necessary to unearth the actual

picture.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

19.09.2016
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(JITENDRA CHAUHAN)
JUDGE

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