

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

CRM-M No.44767 of 2016

Date of decision: December 22, 2016

Balwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Mr. R.P.S. Sidhu, AAG, Punjab
for the respondent-State.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Section 438 of Code of Criminal Procedure, petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.197 dated 06.07.2013, under Sections 420, 465, 467, 468, 471 and 120-B of Indian Penal Code registered at Police Station Civil Lines, Amritsar City, District Amritsar.

The allegations against the petitioner are that he witnessed the power of attorney dated 15th June, 2007, which was allegedly executed by Tripta Devi in favour of Harpal Singh and subsequently, that sale deed is alleged to be forged and fabricated document. Subsequently, on the basis of the alleged forged and fabricated power of attorney dated 15th June, 2007, Harpal Singh has executed the sale deed dated 8th December, 2010 in favour of one Gursharan Kaur wife of Gurwinder Singh, resident of Ganga Nagar.

No doubt, during the course of arguments, learned counsel for the petitioner has cited various judgments including “*Siddharam Satlingappa Mhetre vs. State of Maharashtra and others*, 2011(1) SCC 694” but in view of the fact that petitioner actively participated for the execution and attested the sale deed which is forged and fabricated document, the allegation against him can be termed to be serious and grievous in nature. The actual owner of the property has been divested of his ownership by execution of the said power of attorney and subsequently, by execution of the sale deed in favour of some other person. In the case, not only the owner of the property can be said to be the victim rather to whom the sale deed has been executed he be also the victim.

This Court does not find any merit.

Dismissed.

December 22, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No