

Sr. No.215

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

CRM No. M- 11129 of 2017 (O&M)

Date of Decision:15.05.2017

Ajay Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Suvir Sidhu, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner in case FIR No.156 dated 20.06.2015, under Sections 419/420/465/467/468/471 & 120-B IPC and Section 201 IPC(added later on), registered at Police Station Division No.5, Civil Line, District Ludhiana.

Counsel for the parties have been heard.

Complainant is Monika Khurmi i.e. sister of the present petitioner. Late Smt. Bala Rani i.e. mother of the petitioner, was stated to be recorded owner of the land measuring 15 kanals and 3 marlas. Allegations are that the present petitioner in connivance with the other co-accused set up a fabricated Will of his deceased mother Smt. Bala Rani and thereafter even prepared a false

affidavit and in which co-accused Riya Malhotra had impersonated for her sister-in-law i.e. the present complainant. Such act of impersonation is alleged to have been repeated even at the stage of getting the mutation recorded.

Petitioner was arrested on 12.02.2016.

Counsel would submit that investigation in the case is complete, challan stands presented and even charges have been framed.

Learned State counsel upon instructions from ASI Raj Kumar, would apprise the Court that out of 14 prosecution witnesses cited only one has been examined in part.

The trial, as such, is at the very initial stage and would take time to conclude.

It is the submission made by counsel appearing for the petitioner that the mutation of the land in question has since been cancelled and the land has devolved upon the legal heirs.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, Ludhiana.

Petition disposed of.

15.05.2017*anju rani***(TEJINDER SINGH DHINDSA)
JUDGE**

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>