

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

(i) CRM No.M-17257 of 2017 (O&M)

Harjinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

(ii) CRM No.M-18866 of 2017 (O&M)

Sukhwinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

Date of Decision: July 05, 2017

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Jag Nahar Singh, Advocate
for the petitioner (in CRM No.M-17257 of 2017).

Mr.Kashish Garg, Advocate for
Mr.Tarun Singla, Advocate
for the petitioner (in CRM No.M-18866 of 2017).

Mr.Gaurav Garg Dhuriwala, Sr. DAG, Punjab
for the respondent-State.

Mr.Pawan Handa, Advocate
for the complainant.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together as the
same have arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.153 dated 16.10.2016 under Sections 467, 468, 471, 420, 34 and 149 IPC, registered at Police Station Goraya, District Jalandhar.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petitions.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, FIR has been registered on the basis of the complaint filed by the complainant in the Court and sent by the Court under Section 156(3) Cr.P.C. As per the allegations, father of the complainant died and the accused forged the Will and got the mutation sanctioned. It is stated that order of AC II Grade was set aside in appeal. An expert opinion has been obtained regarding signatures of the father of the complainant. No Court has given the finding regarding forgery of the Will at this stage and the matter is stated to be pending before the Civil Court.

The petitioners have already joined the investigation. The case is based on documentary evidence. No useful purpose will be served by sending them to custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioners are entitled to benefit of grant of anticipatory bail. Therefore, both the petitions are accepted and the order dated 19.05.2017 passed in

No.M-18866 of 2017 granting interim bail to the petitioners, are made absolute.

July 05, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No