

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2350 of 2017 (O&M)

Date of Decision: 23.03.2017

Vinod 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, D.A.G., Punjab.

Mr. Anil Bansal, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.156 dated 20.6.2015 under sections 419, 420, 465, 467, 468, 471 and 120-B (offence under Section 201 I.P.C was added later on), registered at Police Station, Division No.5, Civil Lines, District Ludhiana.

Learned counsel for the parties have been heard.

Complainant is Monika Khurmi i.e. real daughter of the present petitioner. Late Smt. Bala Rani i.e. wife of the petitioner is stated to be the recorded owner of 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 wife 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 12.2.2016.

Challan has been presented and even charges have been framed.

Learned State counsel upon instructions from ASI Rajinder Kumar apprises the Court that out of 14 prosecution witnesses cited only one i.e. the complainant has been examined in part.

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

During the course of arguments today counsel appearing for the complainant concedes that in pursuance to proceedings having been initiated by Monika Khurmi the mutation based on forged and fabricated documents already stands cancelled. He further submits that even civil proceedings in relation to the property in question are pending before the competent court.

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.

(TEJINDER SINGH DHINDSA)
JUDGE

23.03.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	Yes