

CRM No. M-27679 of 2016 (O&M)

Sr. No.203

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

CRM No. M-27679 of 2016 (O&M)

Date of Decision: 15.02.2017

Gurpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CRM No. M-26131 of 2016 (O&M)

Gurmeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CRM No. M-26592 of 2016 (O&M)

Devinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. A.S.Manaise, Advocate,
for the petitioner(s).

Mr. B.S.Bhalla, Advocate,
for the petitioner in CRM No. M-26592 of 2016.

Mr.Varun Sharma, AAG, Punjab.

Mr. H.S.Aujla, Advocate for
Mr. N.S.Dandiwal, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of CRM No. M-27679 of 2016
(Gurpreet Singh Vs. State of Punjab), CRM No. M-26131 of 2016 (Gurmeet
Singh Vs. State of Punjab) and CRM No. M-26592 of 2016 (Devinder
Singh Vs. State of Punjab) as these three connected petitions seeking

CRM No. M-27679 of 2016 (O&M)

concession of pre-arrest bail arise out of the common FIR No.05 dated 29.06.2016, under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station NRI, District Moga.

Briefly it may be noticed that the FIR came to be registered at the instance of Surjit Kaur who is grandmother of Gurpreet Singh i.e. petitioner in CRM No.M-27679 of 2016. Allegations in a nutshell were that Gurpreet Singh had set up a forged and fabricated Will in regard to the estate of his father, namely, Joginder Singh and in connivance with other co-accused i.e. attesting witness as also the deed writer with a dishonest intention to grab the property.

Gurmeet Singh petitioner in CRM No. M-26131 of 2016 is stated to be the deed writer and Devinder Singh petitioner in CRM No. M-26592 of 2016 is stated to be the attesting witness of such forged and fabricated Will.

On 11.08.2016, while issuing notice of motion in CRM No. M-27679 of 2016, the following order was passed by this Court:-

“Learned counsel states that the petitioner is ready to give 1/3rd share of the property in dispute as claimed by the complainant only to purchase peace between him and her as she is her grand-mother. He further states that the petitioner is also ready to withdraw appeal pending before the Revenue Court challenging the mutation of 1/3rd share in favour of the complainant.

Notice of motion for 21.09.2016. To come up along with CRM-M-26131-2016.

In the meantime, in the event of arrest of the petitioner he shall be released on interim bail by the investigating officer subject to the conditions envisaged under Section 438(2) Cr.P.C. so that he can execute the necessary transfer deed in favour of the complainant.”

CRM No. M-27679 of 2016 (O&M)

Likewise interim protection was granted to Devinder Singh as also Gurmeet Singh by this Court subject to their joining investigation.

Learned State counsel upon instructions from ASI Rachpal Singh apprises the Court that petitioners have since joined investigation and thereafter even challan has been presented.

A relevant aspect that may be noticed is that counsel appearing for the petitioners herein contends that a settlement has been arrived at with the complainant and in terms of which one third share of the property in question has been given to the complainant.

Counsel further submits that based on compromise even a quashing petition under Section 482 Cr.P.C. has already been preferred in this Court.

Mr. H.S.Aujla, Advocate representing the complainant Surjit Kaur also concedes to the factum of a settlement having been arrived at between the family.

Under such circumstances, the prayer made in these three connected petitions is accepted.

Orders dated 11.08.2016 passed in CRM No. M-27679 of 2016, order dated 10.08.2016 passed in CRM No. M-26131 of 2016 and order dated 11.08.2016 passed in CRM No. M-26592 of 2016 are made absolute.

Disposed of.

15.02.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No