

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

**CRM No.M-36041 of 2016 (O&M)  
Date of Decision: 01.02.2017**

Nandan Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Ravi Malik, Advocate for the petitioner.

Mr. C.S. Bakhshi, Additional Advocate General, Haryana.

....

**TEJINDER SINGH DHINDSA, J.**

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.17, dated 29.01.2016, under Sections 419/420/506/120-B IPC, registered at Police Station Tigaon, District Faridabad.

While issuing notice of motion, the following order was passed by this Court on 06.10.2016:

*“Petitioner apprehends arrest in a case registered at the instance of Birwati. It is claimed by the complainant that property of Jodha @ Jagmail was bequeathed in favour of complainant vide a Will dated 13.7.2012, but subsequently a relinquishment deed was forged on 11.9.2015 on behalf of the complainant by an impersonator.*

*So far as petitioner is concerned, he had identified the lady who impersonated as Birwati, while executing the relinquishment deed.*

*Counsel for the petitioner submits that similarly circumstanced co-accused of the petitioner Bijender Singh has been granted the concession of pre-arrest bail by this Court.*

*Civil litigation regarding property of Jagmail Singh is stated to be pending.*

*Notice to the Advocate General, Punjab, for 13.12.2016.*

*Meanwhile, an interim direction is issued that the petitioner will join investigation on 15.10.2016, 5.11.2016 or on any other day as required by the investigating officer. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.”*

Learned State counsel upon instructions from ASI Sanjay would apprise the Court that the petitioner has since joined investigation.

It as also gone uncontroverted that co-accused, namely, Bijender and Aman who were the alleged beneficiaries on account of the relinquishment deed have been granted concession of pre-arrest bail.

Insofar as the present petitioner is concerned, the allegation is of his having identified the lady who impersonated as Birwati/complainant. Petitioner is not alleged to be the beneficiary of such relinquishment deed.

In view of the circumstances noticed hereinabove, this Court is of the considered view that custodial interrogation of the petitioner would not be warranted.

Accordingly, petition is allowed. Order dated 06.10.2016 passed by this Court is made absolute.

Disposed of.

**01.02.2017**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**

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|-----|----------------------------|-----|
| i)  | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable?        | No  |