

CRM-M-35752-2017

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

CRM-M-35752-2017 (O & M)

Date of Decision: 12.10.2017

Vikash Chander @ Vikas Chander

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.K.Choudhary, Advocate,
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

INDERJIT SINGH, J.

CRM-32195-2017

Allowed as prayed for. Annexure P-7 is taken on record.

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Petitioner-Vikash Chander @ Vikas Chander has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.66 dated 04.07.2017, registered at Police Station Division No.1, District Pathankot, under Sections 419, 420, 465, 467, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that allegation against the present petitioner is only that he has drafted the sale deed. Admittedly, the present petitioner is not an attesting witness to the sale deed, which was tried to get registered by impersonation before the Sub Registrar. Neither the petitioner is beneficiary nor he is attesting witness to the sale deed. He has scribed whatever the parties have stated to him.

Learned counsel for the petitioner argued that the petitioner had himself asked the Registrar to cancel the deed on the same day, when the registration process was going on and ultimately, it was not registered.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that the petitioner is not required for custodial interrogation and, therefore, no useful purpose will be served by sending him to custody. Finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

12.10.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No