

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-45853 of 2016
Date of Decision: 17.01.2017

Parveen Kumar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Chanchal K. Singla, Advocate
for the petitioner.

Mr. Rajpreet Singh Sidhu, A.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 1 dated 03.01.2016 registered for offences punishable under Sections 420, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short 'IPC'), at Police Station City Rajpura, District Patiala.

Heard.

Dispute in this case pertains to power of attorney dated 31.10.1985 executed in favour of Pushpa Devi, mother of complainant and petitioner. The complainant says that this power of attorney was forged and fabricated document. The petitioner is also a signatory to that power of attorney, which authorized his mother Pushpa Devi to act as attorney on his behalf.

On enquiry, learned State counsel submits that signatures of complainant with signatures on power of attorney has not been got compared so far. Pushpa Devi has already died on 04.02.2004.

Learned counsel for the petitioner submits that a civil litigation was pending between the parties and a specific observation was recorded by the civil court while deciding the suit, filed by the complainant, vide judgment dated 15.10.2016 that power of attorney executed by the complainant was a genuine document.

Keeping in view above facts but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 22.12.2016 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

February 17, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No