

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

**Criminal Misc. No. M-46220 of 2016**  
**Date of decision : February 03, 2017**

Rakesh Kumar @ Rakesh Sharma

....Petitioner

versus

State of Punjab

....Respondent

**Coram: Hon'ble Mr. Justice Fateh Deep Singh**

**Present :** Mr. Rituraj Singh, Advocate for  
Mr. Manuj Nagrath, Advocate, for the petitioner

Mr. Gurinderjit Singh, DAG, Punjab for the respondent with  
ASI Bahadur Singh

**Fateh Deep Singh, J. (Oral)**

The allegations against petitioner Rakesh Kumar @ Rakesh Sharma in this regular bail application under section 439 Cr.P.C. are that he is an attesting witness of Will dated 10.1.1985 purported to have been executed by Kamlesh Rani mother of complainant Geeta Rani.

The contentions of counsel for the petitioner are that the petitioner is neither a beneficiary nor he has any role to play in the ultimate benefits accruing out of that bequeath and has correctly identified the executant though on behalf of the State, the bail is sought to be opposed.

Having regard to the fact that similarly placed co-accused Raman Kumar has been allowed bail vide order dated 26.08.2016 by this

Court and that the culpability if any shall be determined at the time of trial and the fact that the trial is not likely to be concluded in near future, without adverting to the merits of the case, the instant application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

The present petition stands disposed off accordingly.

**February 03, 2017**  
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**( Fateh Deep Singh )**  
**Judge**

*Whether speaking/reasoned ?*

*Yes/No*

*Whether Reportable ?*

*Yes/No*