

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-46372 of 2016 (O&M)

Date of Decision: 03.05.2017

Gurmukh Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

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

Ms. Harpreet K. Athwal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.193 dated 29.11.2016 under sections 420, 465, 467, 468, 471 I.P.C, registered at Police Station, City Gurdaspur, District Gurdaspur.

FIR came to be registered on the statement of Kunan Singh. The allegations in a nutshell levelled against the petitioner are that a civil suit had been instituted by him to challenge a sale deed claiming to be a minor at the relevant point of time and on the strength of a Date of Birth Certificate that was forged and fabricated.

Counsel for the petitioner has argued that upon inquiry having been conducted both the Birth Certificates one reflecting date of birth as 14.11.1981 and the other as 29.2.1984 have been found to be issued by the competent authority. That apart, it is contended that the suit had been instituted on 23.5.2013, whereas the birth certificate alleged to be fabricated was issued later in point of time i.e. on 3.11.2014.

Learned State counsel upon instructions from ASI Kuldeep Singh would apprise the Court that the petitioner in the light of notice of motion order dated 23.12.2016 has since joined investigation.

Against the backdrop of the allegations, this Court is of the considered view that custodial interrogation of the petitioner would not be warranted. Accordingly, the present petition is allowed. The order dated 23.12.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.05.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No