

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

**Crl. Misc. No.M-45554 of 2017 (O&M)
Date of Decision: December 08, 2017.**

Ramji Lal

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ashit Malik, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.304 dated 25.07.2017 registered for the offences punishable under Sections 420, 467, 468, 471 read with Section 120-B of Indian Penal Code, at Police Station Indri, District Karnal.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, D.A.G. Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned State counsel submits that FIR in this case was registered on the complaint of Ram Kumar son of petitioner, wherein he levelled the allegations that petitioner had forged Will of his wife Ratni

Devi in his favour. After registration of the FIR, petitioner was arrested on 03.10.2017 and matter is still under investigation.

Learned counsel for the petitioner submits that petitioner is 85 years of age. Mutation of the land owned by his wife, has been sanctioned by the revenue authorities in favour of all the legal heirs, as such, no purpose will be served by keeping the petitioner further in custody.

Keeping in view the fact that petitioner is an old man of 85 years of age and dispute pertains to the property of his wife regarding which mutation has already been sanctioned in favour of all her legal heirs and further conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Ramji Lal is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

December 08, 2017
Sachin M.

Whether speaking/reasoned: **Yes/No**

Whether Reportable: **Yes/No**