

CRM No. M-4905 of 2017(O&M)

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-4905 of 2017(O&M)
Date of Decision : 30.11.2017

Gurmail Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Suram Singh Rana, Advocate for the petitioner.

Mr. Kanisth Ganeriwala, Assistant Advocate General,
Punjab.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking anticipatory bail in FIR No. 10 dated 13.01.2017, under Sections 457, 380, 427, 34 IPC, registered at Police Station Jamalpur, Ludhiana.

A Coordinate Bench of this Court vide order dated 15.02.2017 had directed the petitioner to join investigation and in the event of his arrest, he was to be granted ad-interim bail.

It was contended by the learned counsel for the petitioner that wife of the petitioner is also co-sharer in the land qua which offence is alleged to have been committed by the petitioner and in view of inquiry conducted by the Assistant Commissioner of Police, Sahnewal, Ludhiana, both the parties were found to be co-sharers and, therefore, the offences in question cannot be alleged to be committed by the petitioner.

In pursuance to the order dated 15.09.2017 passed by

this Court, affidavit of Assistant Commissioner of Police, Sahnewal had been filed with regard to the role of the petitioner. It is stated in the affidavit that during the course of investigation, it was found that sale deed, which was alleged to be executed in favour of the wife of the petitioner on 12.12.2015, was found to be forged and fabricated. It was not executed by the owner of the plot and, therefore, Sections 420, 465, 467, 468, 471, 120-B IPC were also added on 12.10.2017. It is also stated in the affidavit that the recovery of the iron gates is yet to be effected from the petitioner and his custodial interrogation is necessary to unearth the entire conspiracy. The petitioner is stated to be involved in four other cases, which are pending trial.

It is, thus, apparent that the allegations against the petitioner are rather serious. He is alleged to have forged the sale deed on the basis of which he is claiming that his wife is co-sharer of the plot in question. He is stated to be involved in four other cases pending trial. Therefore, I do not found it to be a fit case to grant the concession of anticipatory bail to the petitioner.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

November 30, 2017
kanchan

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>