

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

CRM-M -5905 of 2017 (O&M)

Date of decision: 25.04.2017

Dhian Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Veneet Sharma, Advocate for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by SI Sukhdev Singh.

Mr. K.S. Maangat, Advocate for respondent No.2.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.201 dated 24.12.2016, registered under Sections 420, 465, 467, 468, 471 and 120-B of IPC, at Police Station Beas, Amritsar Rural, District Amritsar.

On 08.03.2017, the following order was passed by this Court:-

“Contends that the Will dated 09.06.1980 was executed in favour of the complainant by deceased Makhan Singh. Subsequently, said Makhan Singh had executed another Will dated 20.07.1994 in favour of the petitioner and his brother(s) which they were able to prove in the civil suit after leading the

cogent evidence. However, the same was not accepted on the basis of report of private hand writing expert. Accordingly, the civil suit was decided in favour of the complainant. Against the civil suit, appeal is pending before the competent Court.

The learned State counsel vehemently argued that the petitioner forged the Will in question which has been approved by the learned Civil Court.

The learned counsel for respondent No.2 states that the appeal preferred by the petitioner is time barred and there is no interim order in favour of the petitioner. However, he fairly admits that the petitioner and the complainant are collateral and holding the estate of late Makhan Singh in equal shares.

Post again on 25.04.2017.

The petitioner is directed to join the investigation.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.”*

It is contended that in pursuance of order dated 08.03.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide

order dated 08.03.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

25.04.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No