

CRM-M-12031-2018

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

CRM-M-12031-2018

Date of Decision:01.08.2018

Jagjit Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Deepinder Singh Brar, Advocate,
for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. P.S.Guliani, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioners-Jagjit Singh and Daljit Singh have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.112 dated 20.11.2017, registered at Police Station Sandaur, District Sangrur, under Sections 465, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of respondent-State and complainant also appeared through her counsel. They contested the present petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

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From the record, I find that FIR, in the present case, has been registered on the complaint of Rupinder Kaur. Harjit Singh, husband of complainant died on 25.09.2014. The present petitioners are the elder brothers of Harjit Singh. As per the allegations in the FIR, the present petitioners forged a Will regarding the property of Harjit Singh. A civil litigation is already pending between the parties regarding ownership of property on the basis of aforesaid Will.

In pursuance of the interim order dated 22.03.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. The case is mainly based on documentary evidence. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 22.03.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

01.08.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No