

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-16376 of 2018
Date of Decision: 13.7.2018.

Gurmukh Singh Pawar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Naresh Kumar, Advocate, for
Mr. K.S.Dadwal, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab

RAJ SHEKHAR ATTRI, 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.53 dated 29.3.2012 registered for the offences punishable under Sections 193, 380, 409, 120-B of Indian Penal Code (for short, "IPC") and 420, 467, 468, 471, 120-B IPC added later on at Police Station Division No.5, Ludhiana.

Heard.

It has been submitted that earlier, Will dated 15.4.1995 allegedly executed by Smt. Shyam Kaur widow of Amar Singh in favour of her grandson Devinder Singh alias Buta son of Bikker Singh has been changed while it was in the custody of the petitioner who was reader of Sub Divisional Magistrate at that time. However, it was substituted by second will dated 15.4.1995 which was also in the name of same person i.e.

Davinder Singh alias Buta son of Bikker Singh. Witnesses are the same. Only revenue stamps had been changed. Nothing is to be recovered from him.

The petitioner is in custody since 14.3.2018.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Gurmukh Singh Pawar son of Mohan Lal is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

July 13, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No