

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

CRM No.M-23218 of 2018 (O&M)

Date of Decision: July 19, 2018

Gurcharan Singh @ Gurcharan Lal

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.S.S.Momi, Advocate
for the petitioner.

Mr.Sukhdeep Parmar, DAG, Haryana
for the respondent-State.

Mr.Anirudh Singh Shera, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.331 dated 10.04.2017 under Sections 420, 467, 468 and 471 IPC, registered at Police Station Thanesar City, District Kurukshetra.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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

As per allegations in the FIR, a false agreement to sell of the property of complainant has been prepared. It is stated that the said

agreement was prepared at the instance of present petitioner. The allegation against the petitioner is that the said agreement to sell was prepared by Gurcharan Lal @ Gurcharan Singh (present petitioner), Karam Singh and Pyare Lal, in favour of Mewa Singh in connivance with each other.

Learned counsel for the petitioner states that complainant has signed on the agreement to sell and contains his signatures. He has disputed the fact that complainant has not signed on the agreement. Further, it is stated that suit for specific performance is already pending in the Court. It has been brought to the notice of this Court that a complaint has also been made against the petitioner, who is real brother of the complainant that he has obtained signatures of the complainant on three blank papers etc.

The petitioner has already joined the investigation. He is not required for investigation or custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 28.05.2018 granting interim bail to the petitioner, is made absolute.

July 19, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No