

CRM-M-30287-2018

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

CRM-M-30287-2018

Date of Decision: 16.10.2018

Gurcharan Kaur @ Chan Kaur and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Lokesh Sinhal, Advocate,
for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioners-Gurcharan Kaur @ Chan Kaur, Harvinder Kaur, Surinder Pal @ Nannu and Vikramjeet 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.72 dated 25.06.2018, registered at Police Station City Jalalabad, Teshil Abohar, under Sections 420, 120-B and 506 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

CRM-M-30287-2018

As per the allegations in the FIR, petitioner Nos.1 and 2, Gurcharan Kaur and Harvinder Kaur had forged and fabricated the Will purporting to be executed by Jagjeet Singh and they had sold part of the property and complainant is one of the legal heirs. The allegations against petitioners No.3 and 4 are in respect of connivance. A civil suit has been pending between the parties since 2016 and after two years of filing of civil suit, the present FIR has been got registered.

In pursuance of the interim order dated 19.07.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. The case is based on documentary evidence. Therefore, no useful purpose will be served by sending them 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 19.07.2018, 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.

16.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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