IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43285-2018
Date of decision:02.11.2018

Iqbal Singh

....Petitioner

Versus

State of Punjab

.....Respondent

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CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

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Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab
assisted by Inspector Parneet.

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GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in respect of FIR No.05 dated 14.08.2018 under Sections 419, 420, 465, 467, 468, 471, 120-B of of Indian Penal Code, 1860 registered at Police Station NRI Amritsar, District Amritsar.

The allegations in the nut-shell are that the one Sukhwinder

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Singh had impersonated as complainant-Sandeep Singh Aulakh and by way of impersonation had obtained cash credit limit of ₹20 lakhs by mortgaging complainant's property. The present petitioner, who is a '*Nambardar*'is sought to be implicated on account of the fact that he had attested revenue documents and that he was conspiring with the co-accused.

Learned counsel for the petitioner has submitted that in fact he has falsely been implicated in the present case and the allegations stands belied with the report of FSL wherein the alleged signatures of the petitioner on the documents in question have been found to be forged.

The aforesaid position is not disputed by learned State counsel. However, learned State counsel has opposed the bail on the ground that the petitioner was the master-mind of the entire conspiracy and as such does not deserve the concession of bail. It has however been informed that the petitioner has joined investigation.

Having regard to the facts and circumstances of the case and also in view of the report of FSL wherein the alleged signatures of the petitioner were found to be forged and also that the entire case is mainly based on the documentary evidence and that the petitioner has since joined investigation, in my opinion, it is fit case for grant of anticipatory bail. Accordingly the petition is accepted and the interim directions issued vide dated 01.10.2018 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with

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the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petition is accepted in the above mentioned terms.

It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

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Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**

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