

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-43315-2017 (O&M)
Date of decision: March 22, 2018

Kaka Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Manoj Kaushik, Advocate for the petitioner.
Mr. A.A. Pathak, Addl. Advocate General, Punjab.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections under Sections 420, 465, 468, 471, 120-B, 427 IPC, at Police Station Dera Baba Nanak, District Gurdaspur, vide FIR No.103 dated 20.10.2017.

FIR was registered on the complaint made by Gurdeep Singh son of Harwant Singh, with the allegations that he as well as Sudarshan Sharma son of Sardari Lal Sharma and Kulwinder Kaur wife of Gian Singh had joint land in village Talwandi Rama, District Gurdaspur. Said land was partitioned on 24.02.2014 in case No.45. Petitioner, who is husband of Kulwinder Kaur is a Patwari in the Revenue Department. Allegation against the petitioner is that he has prepared *Naksha Jim* during partition proceedings under the forged signatures of Kanungo namely, Salwant Singh.

It is evident that on 4.12.2013, Sudarshan Sharma and

Kulwinder Kaur had filed an application for partition against Bhupinder Singh, Mohinder Singh and Charan Kaur wife of Pal Singh. During proceedings, court of Assistant Collector Grade-I, Dera Baba Nanak directed Circle Kanungo to prepare *Naksha Jim* of joint ownership. At that time, petitioner was posted as Patwari at Tehsil Dera Baba Nanak, who in connivance with Sudarshan Sharma and Kulwinder Kaur got prepared a false *Naksha Jim* by forging signatures of Circle Kanungo. Kulwinder Kaur wife of the petitioner has already been granted pre-arrest bail by this court on 30.01.2018.

In the facts and circumstances of the case, particularly the allegation that the petitioner prepared *Naksha Jim* by forging signatures of Circle Kanungo and used the same for partition of the land, I am of the considered view that he is not entitled to the concession of pre-arrest bail. In fact, custodial interrogation of the petitioner may be necessary for taking the investigation to its logical end. I, therefore, find no ground to grant the concession of anticipatory bail. The petition is, thus, dismissed.

(RAJAN GUPTA)
JUDGE

March 22, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No