

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

CRM M-49555 of 2017

Date of decision : 20.04.2018

Ram Pal

...Petitioner

V/s

State of Haryana

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ashit Malik, Advocate for the petitioner.

Ms. Tanushree DAG Haryana.

RAJAN GUPTA J.

Petitioner seeks anticipatory bail in a case registered against him under sections 420, 467, 468, 471 & 120B IPC vide FIR No. 304 dated 25.07.2017 at police station Indri, district Karnal. It has been urged before the court that petitioner has been falsely implicated due to long standing litigation between the parties. The criminal complaint is infact a counter-blast to a civil suit pending between the parties. Learned State counsel has opposed the prayer for bail. According to it, petitioner joined investigation pursuant to interim order granted by this court but he refused to disclose the name of the lady who impersonated as Rattani Devi at the time of appearance before the Tehsildar.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged by Ram Kumar S/o Ramji Lal R/o village Garhi Jattan, Tehsil Indri Karnal. He stated that his mother namely Rattni Devi who was owner of the land measuring 57 Kanals - 16 Marlas of land expired on 24.04.2011. After her death he moved an application dated

land in the name of all the legal heirs but the same was not sanctioned. Accused Ramji Lal in connivance with accused Ram Pal (petitioner herein) and Dharambir also moved an application on 17.06.2011 before the Tehsildar for transfer of the said land in his name by forging thumb impression of Rattani Devi on the Will. On this basis, instant FIR was registered. Pursuant to same, investigation ensued.

During the course of hearing, affidavit dated 19.03.2018 has been filed by Rajiv Kumar, Dy. Superintendent of Police, Karnal. Para 3 thereof reads as under:-

“3. That the custodial interrogation of the petitioner is required in this case to verify the fact; who has affixed the thumb impression on Will dated 21.01.2011 instead of Smt. Rattani Devi because the said forged Will was prepared in the presence of the petitioner as well as in the presence of Dharambir Numberdar. However, it is also pertinent to mention here that co-accused namely Dharambir Numberdar has not been arrested till today and special efforts are being made to arrest the said accused in case FIR No. 304 dated 25.07.2017 U/S 420/467/468/471 & 120-B IPC Police Station Indir, Karnal. Thus the present petition deserve to be dismissed.”

In view of above, I am of the considered view that custodial interrogation of the petitioner may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

April 20, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No