

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

**CRM-M-1660-2019**

**Date of Decision: 22.08.2019**

**Gurjit Kaur Ghuman and another**

**.. Petitioners**

**Vs.**

**State of Punjab**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Kanwaljit Singh, Sr. Advocate with  
Mr. Gautam Sehgal, Advocate for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Chetan Bansal, Advocate for the complainant.

...

**Inderjit Singh, J. (Oral)**

Petitioners Gurjit Kaur Ghuman and Jaswinder Pal Singh have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.008 dated 08.12.2018, registered at Police Station N.R.I., District Commissionerate Amritsar, under Sections 420, 467, 468, 471, 201 and 120-B of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel and counsel for the complainant have appeared and contested this petition.

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

The case of the prosecution is that the Will in favour of petitioner Gurjit Kaur Ghuman is forged one. Petitioner Jaswinder Pal Singh is neither the beneficiary under the Will nor the signatory to the Will as an attesting witness etc. Only allegation against him is of conspiracy, therefore, he is not required for custodial interrogation. Similarly, petitioner

Gurjit Kaur Ghuman, who is the beneficiary under the Will is not required for custodial interrogation as the case is based on documentary evidence. A civil suit is already pending before the Civil Court and no finding of any type so far has been given by the Civil Court regarding validity or forgery of the Will.

In pursuance of the interim order dated 16.01.2019, passed by this Court, the petitioners have already joined the investigation. No useful purpose would 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 16.01.2019, 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.

22.08.2019  
*Jasmine Kaur*

**(INDERJIT SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No