

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

**CRM-M No.4000 of 2019 (O&M)**

**Date of Decision : 29.03.2019**

Tirath Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

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Present: Mr. Kawaljyot Singh, Advocate for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

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**AJAY TEWARI, J. (Oral)**

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.29 dated 04.03.2012 registered under Sections 420/465/467/468/471/404/447/448/511/120-B IPC at Police Station Lohian, District Jalandhar.

On 06.02.2019 the following order was passed:-

*“The petitioner seeks grant of anticipatory bail.*

*Allegations were that the brother of the petitioner had engineered a fake Will.*

*Counsel for the petitioner has argued that actually the petitioner had gone abroad in 1993 and never came back to India till 2013 and consequently the proclamation order is also illegal.*

*Learned DAG Punjab, on instructions from ASI Mandeep Singh, points out that as per that fake Will, the petitioner was also a beneficiary. Counsel for the petitioner has argued that those persons who were tried have been acquitted.*

*In my considered opinion, the important contention is that the petitioner never came up to India till 2013. Resultantly, I grant interim bail to the petitioner to the satisfaction of the Investigating Officer. He shall report to the Investigating Officer on or before 7.3.2019 or on any other day when the Investigating Officer may require his presence. He will present evidence of the fact that he never came back to India till 2013.*

*Adjourned to 29.3.2019 to await the report of the Investigating Officer.”*

Learned State counsel on instructions from ASI Gursharan Singh accepts the fact that the petitioner had not come back to India between 1993 to 2013.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 06.02.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

**29.03.2019**

*pooja sharma-I*

**( AJAY TEWARI )  
JUDGE**

Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No