

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-12921 of 2018
Date of Decision: September 25, 2019.

Karnail Singh and another

.....Petitioners

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Vivek Gupta, Advocate, for the petitioners.

Mr.Aman Pal, Advocate, for respondent No.2.

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Anil Kshetarpal, J. (Oral)

Learned Judicial Magistrate, 1st Class, Dhuri by way of the impugned order only allowed the application under Section 311 Cr.P.C. permitting examination of Finger Print and Hand Writing Expert with reference to the Will dated 31.12.1994 allegedly executed by Balbhadar Singh. Learned counsel for the petitioners submits that in the present case the allegations are with regard to forged and fabricated Will of Teja Singh dated 26.07.2008 and the Court of Judicial Magistrate has committed error in allowing the application.

On the other hand, learned counsel for the first informant while referring para No.5 of the FIR has submitted that there is a specific reference to the Will dated 31.12.1994 allegedly executed by Balbhadar Singh which was also set-up by the accused. It has also been pointed out that the validity of aforesaid Will dated 31.12.1994 has been examined by the Civil Court and found to be forged and fabricated one.

Learned counsel for the petitioners was called upon to show

any prejudice caused to the accused. He has failed to point out any prejudice. Hence, the petition is dismissed.

September 25, 2019

mohinder

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No