

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

CRM-M-12999 of 2019 (O&M)
Date of decision: July 26, 2019

Ram Pal ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sapan Dhir, Advocate for the petitioner.
Mr. Vishal Garg, Addl. Advocate General, Haryana.

Rajan Gupta, J.(oral)

Petitioner has filed this second petition seeking concession of pre-arrest 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 in fact a counter-blast to a civil suit pending between the parties.

Learned State counsel has opposed the prayer for bail. According to him, earlier petitioner had filed petition i.e. CRM-M-49555 of 2017 for grant of pre-arrest bail, which was dismissed by this court on April 20, 2018.

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 resident of village Garhi Jattan, Tehsil Indri, District Karnal. He stated that his mother namely Ratni Devi, who was owner of the land measuring 57 Kanals - 16 Marlas, expired on 24.04.2011. After her death he moved an application dated 04.05.2011 before the concerned authority for entering the mutation of the 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 06.04.2019 has been filed by Randhir Singh, Dy. Superintendent of Police, Indri. Para 9 thereof reads as under:-

9. That the contents of Para No.9 of the petition are wrong and hence denied. It is further submitted that Ramji Lal in collusion with Rampal (petitioner) son of Sheoram village Butehdi, Police Station Jagadhri, District Yamuna Nagar and Dharambir (Numberdar) of village Charho Police Station Sadar, Jagadhri procured forged bogus will by putting the forged thumb impression of Smt. Rattni Devi. The accused Braham Pal moved an application before the Tehsildar knowing well that the will dated 20.05.2009 has been cancelled by Ratni Devi, inspite of that he has moved an application before the Tehsildar to transfer the land in his name by concealing the facts that Ratni Devi had concealed this will. 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. Rattan Devi because the said forged Will was prepared in the presence of the petitioner as well as in the presence of Dharambir Numberdar. Thus, the present petition deserves to be dismissed.”

However, instead of surrendering before the investigating agency or the trial court, petitioner has again preferred this petition without being able to point out any change of circumstance. 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.

(RAJAN GUPTA)
JUDGE

July 26, 2019
'Rajpal'

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