

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-40410-2017(O & M)

Date of Decision: 07.05.2019

GURMAIL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Nitin Rampal, Advocate for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

Mr. J. S. Brar, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.107 dated 15.08.2017 under Sections 420/465/467/468/471/120-B of IPC, registered at Police Station Sadar Kotkapura, District Faridkot.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that he along with others had forged the Will of their great grandfather's brother namely Badan Singh, who had died issueless. The Will was executed on 14.05.1984 and at that time the petitioner was only 15 years of age. Mutation was entered on the basis of Will and all the khasra girdawaris thereafter are either in the name of the petitioner's father or the other beneficiaries under the Will. He also states that the complainant Jarnail Singh, who is the uncle of the petitioner is also a beneficiary under the Will which has not been challenged till date. Learned counsel further contends that the petitioner is also willing to settle the matter which may be referred to Mediation.

This Court, by the order dated 27.10.2017, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from HC Kulwinderjit Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 27.10.2017 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

May 07, 2019

A.Kaundal

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No