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

**C.R.M-M No.21164 of 2019 (O&M)
Date of Decision : 09.05.2019**

Bakshish Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sandeep Arora, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.7, dated 19.1.2018, registered under Sections 419, 420, 465, 467, 468, 471, 120-B of the IPC, at Police Station Makhu, District Ferozepur.

Notice of motion.

On the asking of the Court, Ms. Amarjit Kaur Khurana, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State and copy of the paper book has been supplied to her in the Court itself.

As per the allegation the petitioner is a property agent who had introduced the complainant with the co-accused and the allegation was that co-accused Lakhveer Singh had impersonated as one of the owners-Iqbal Singh. The aforesaid Lakveer Singh had filed a petition for anticipatory bail bearing **CRM-M-19427-2019** which had come up yesterday i.e. on

08.05.2019 and in that case the following order was passed :-

“The petitioner seeks grant of anticipatory bail in case FIR No.7, dated 19.1.2018, registered under Sections 419, 420, 465, 467, 468, 471, 120B of the IPC, at Police Station Makhu, District Ferozepur.

Allegation against the petitioner and his co-accused is that while entering into an agreement to sell, the petitioner impersonated as his brother Iqbal Singh.

Counsel for the petitioner has argued that the petitioner never impersonated himself as Iqbal Singh and he is ready to appear before the Investigating Officer to give his thumb impressions and the same can be matched with the thumb impressions on the disputed agreement to sell and in case it is found that it is the petitioner's thumb impressions, this petition can be dismissed.

Learned DAG Punjab has no objection to this course of action.

Consequently, the petitioner is directed to appear before the IO on 23.5.2019 at 10 am or on any other day on which the IO requires his presence to give his thumb impressions. On his appearance, the IO shall release the petitioner on interim anticipatory bail to his satisfaction and send the thumb impressions of the petitioner for analysis to the FSL. In case, the thumb impressions do not match with that of the petitioner, the interim anticipatory bail shall be confirmed and if the thumb impressions match with that of the petitioner, this petition shall be deemed to be dismissed.

This petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.”

Counsel for the petitioner has argued that the petitioner has never signed the agreement to sell and he has no connection with the case.

Learned Deputy Advocate General has very fairly stated that she would not oppose the grant of interim bail to the petitioner but the fact is that the fate of the petitioner is linked with the fate of Lakhveer Singh. As per her, if the thumb impression of Lakhveer Singh matched with the thumb impression on the agreement to sell the story of the complainant that they have been defrauded is made out and therefore the present petitioner should get the same benefit as Lakhveer Singh.

I find merit in the argument of the learned Deputy Advocate General.

Consequently, the petitioner is directed to appear before the IO on 23.5.2019 at 10 am or on any other day on which the IO requires his presence to give his thumb impressions. On his appearance, the IO shall release the petitioner on interim anticipatory bail to his satisfaction. Ultimately in case the interim bail granted to Lakhveer Singh is confirmed the bail granted to the petitioner will also be confirmed and in case the interim bail granted to Lakhveer Singh is cancelled the interim bail to the petitioner will also stands cancelled.

The petition stands disposed of.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

09.05.2019

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No