

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-51385-2018 (O&M)
Date of Decision:- 8.2.2019

Dalip Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek K. Thakur, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.5, dated 7.4.2017, registered at Police Station NRI, District S.A.S.Nagar (Mohali), under Sections 420, 467, 471 IPC (Sections 466 and 120-B IPC added later on), lodged at the instance of Arshjot Singh.
2. The allegations are mainly to the effect that a forged WILL in respect of estate of his father Sh. Harbans Singh Kapoor was prepared pertaining to one and half acres of land and the petitioner is stated to be the attesting witness of the same.

3. Learned counsel for the petitioner has submitted that the main accused in this case is stated to be Rajwant Singh, who had ultimately benefited from the alleged forged WILL, and who has already been granted bail and that in these circumstances the present petitioner also deserves the concession of bail more particularly since the entire case is based on documentary evidence and the petitioner has already joined investigation.
4. It has also been informed that the WILL in question was in fact in favour of mother of Rajwant Singh and later on the said beneficiary i.e. the mother of Rajwant Singh transferred her share in favour of Rajwant Singh.
5. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and had attested the WILL in question, therefore, his complicity in the offences is evident and the petitioner does not deserve the concession of anticipatory bail.
6. Having considered rival submissions addressed before this Court and bearing in mind the role of the petitioner and also that he has already joined investigation and that the case is mainly based on the documentary evidence, in my opinion it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and interim directions issued vide order dated 22.11.2018 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with

the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

February 8, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No