

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

CRM-M-24170-2019
Date of decision:15.7.2019

Inderjit Kaur

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. J.S. Bedi, Senior Advocate with
Mr. Rubal Garg, Advocate
for the petitioner.

Mr. Sukant Gupta, Addl. P.P. U.T. Chandigarh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.127 dated 25.4.2015 under Sections 420, 511, 467, 468, 471, 120-B of Indian Penal Code, 1860 registered at Police Station Sector 17, Chandigarh.
2. The FIR came to be lodged at the instance of Kuljeet Singh Shan i.e. brother of the petitioner. The allegations, in nut-shell, are that the petitioner Inderjit Kaur along with her sisters Tejinder Kaur and Pushpinder Kaur had forged a Will in respect of property of their father Dr. Harnam Singh Shan.
3. At the time of issuance of notice of motion, it had been submitted that the petitioner is chronically ill. This Court had directed Superintendent, Model Jail, Burail, Chandigarh to make

arrangements for getting the petitioner medically examined. Pursuant thereto the petitioner was got medically examined from Government Multi Specialty Hospital, Sector 16, Chandigarh by a Board, which had made a following report:-

“Patient Mrs. Inderjit Kaur W/o Sh. Gaganjeet Singh was examined as per letter of Deputy Superintendent, Model Jail UT Chandigarh vide letter No. 3880/UT/SJ, Chd. Dated 25.05.2019.

After taking history and examination of Medical records available with her, she is suffering from Rheumatoid arthritis since 25 years, epilepsy since 40 years and hypertension since 30 years and there is history of TIA and B/L total hip replacements and she is on treatment for the above ailments.

As examination, her vitals are BP 130/80, PR-84/mt, SPO2 97% and she is having difficulty in walking due to B/L total hip replacements and due to severe osteoarthritis and valgus deformity of B/L knee.

As she is suffering from multiple chronic ailments, she needs support and assistance in day to day activities.”

4. It is not disputed that the petitioner is aged about 68 years. Learned State counsel upon instructions from SI Kuldeep Singh submits that

the petitioner is not required for the purpose of investigation and that a civil suit in respect of Will in question has already been pending.

5. Bearing in the mind the aforesaid position and especially that the case is based on documentary evidence i.e. the allegedly forged WILL and the petitioner is not stated to be required for further investigation and who is stated to be aged 68 years undertaking medical treatment, in my opinion, no fruitful purpose would be served by detaining the petitioner behind bars. The petition, as such, is accepted and the interim directions are made absolute with liberty to trial Court to impose any other condition as deemed fit to ensure regular appearance of the petitioner during proceeding of trial.

(GURVINDER SINGH GILL)
JUDGE

15.7.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**