

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-39224-2019 (O & M)
Date of Decision: October 30, 2019**

MANBIR SINGH MAHAL

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Hemender Goswami, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.163 dated 19.07.2019, under Sections 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Civil Lines, Amritsar, District Amritsar.

Learned counsel for the petitioner contends that the petitioner is only an attesting witness of 'special power of attorney' executed by Gurpartap Singh in favour of Darshan Singh, Sham Sunder and Harjit Singh in respect of 4 kanal 14 marlas of agricultural land. It is alleged that Harcharan Kaur and her sons, namely, Surinder Singh and Raghuwinder Singh had executed a 'general power of attorney' in favour of Gurpartap Singh, who was the nephew of Harcharan Kaur, on 05.04.2007. Harcharan Kaur is stated to have died on 30.12.2009 and the 'special power of attorney' in question was executed by Gurpartap Singh after her death. He, however, contends that Surinder Singh Mahal, who is the son of Harcharan Kaur, had cancelled the 'power of attorney' and had stated that he does not want to pursue the case against the petitioner and co-accused Gurpartap Singh. He has referred to the copy of the cancellation of 'power of attorney' at Annexure P3. He also contends that

Harcharan Kaur had shifted to Pilibhit and he did not have any knowledge of her death. Harcharan Kaur is the wife of the brother of the petitioner's grandfather. He also contends that no loss has been caused to any one and the price for the land had been paid to the owners, namely, Surinder Singh and Raghuwinder Singh. He further contends that the petitioner is not involved in any other case.

This Court, by the order dated 16.10.2019, 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 ASI Lakhbir 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 the petitioner having joined investigation, the order dated 16.10.2019 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

October 30, 2019

A.Kaundal

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