

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

CRM-M-4262-2020

Date of Decision : February 07, 2020

Jasveer Singh and others

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ashok Paul Batra, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the first application under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in FIR No.06 dated 10.1.2020, under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Sadar, Sri Muktsar Sahib.

Counsel for the petitioners submits that as per the allegations in the FIR, Baldev Singh had allegedly executed an unregistered Will in favour of his nephews Rajkaran Singh, Shivraj Singh, Balraj Singh and Satnam Singh. Counsel for the petitioners further submits that petitioner No.1-Jasveer Singh is Scriber of the Will and petitioners No.2 and 3, namely, Kuldeep Singh and Jaswinder Singh, respectively are the attesting witnesses of the said Will. He further submits that there is no dispute regarding the identification of Baldev Singh and the only role of petitioners No.2 and 3 was to identify

a person which they have done correctly. He also submits that all the three petitioners were not the beneficiaries as the Will which was allegedly executed in favour of the nephew of Baldev Singh.

Learned State counsel, on instructions from ASI Guru Iqbal Singh, assisted by the counsel for the complainant, has opposed the prayer on the ground that the deceased Baldev Singh never used to put his thumb-impressions as he was an educated person and he used to sign the documents. Learned State counsel further submits that the mutation, which was signed on the basis of the disputed Will has already been set aside in an appeal filed by the ADC, Sri Muktsar Sahib and the matter is *sub-judice* before the Court.

Without commenting anything on the merits of the case, considering the fact that neither the petitioners have not identify any wrong person nor they were beneficiaries of the Will, the present is allowed. The petitioners are directed to be released on bail in case of their arrest, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

However, it will be open to the Investigating Officer to issue a notice in writing, in case they are required for investigation.

(ARVIND SINGH SANGWAN)
JUDGE

February 07, 2020
satish

Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO