

203

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

**CRM-M No.12585 of 2020
Date of Decision: 02.06.2020**

KULDEEP SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. R.S. Sidhu, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.83 dated 07.09.2019, registered under Sections 419, 420, 465, 467, 468, 471, 192, 193, 120-B IPC at P.S. Sadar District Rupnagar.

As per allegations in the FIR, land measuring 51 Kanals 6 Marlas was recorded in the name of one Daulat Ram in village Sanana since independence. Said Daulat Ram is missing and his whereabouts are not known. One Kesar Singh was cultivating the land for the last many years and he also died and

his son Gurpreet Singh is in possession. It is further alleged that one Balwinder Singh in order to grab the property connived with Mehma Singh, petitioner and one Jaspal Singh. Firstly they got the documents prepared by way of presenting Mehma Singh as Dault Ram before the Sub-Registrar in getting power of attorney dated 24.08.2011 executed in favour of Jaspal Singh to which the petitioner signed as a witness. Thereafter, on the basis of agreement to sell, a civil suit was filed in which Balwinder Singh and Jaspal Singh did not appear. An ex-parte decree was obtained and all the accused got the mutation of the land entered in their favour.

Learned State counsel on instructions from the Investigating Officer opposed the prayer on the ground that it is a case of forgery. Petitioner wrongly identified Mehma Singh as Daulat Ram. There is incriminating material against them. However, learned State counsel admitted that challan has been presented. Offence is triable by the Magistrate. Petitioner is in custody since 08.10.2019.

At this stage, taking into consideration the aforesaid facts, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing

adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

June 02, 2020	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No