

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

CRM-M-41887 of 2020

Date of Decision: 14.12.2020

Devi Lal

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Akashdeep Sethi, Advocate for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed seeking anticipatory bail in FIR No.250 dated 6.11.2020, under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station City-1, Abohar.

The FIR is at the instance of Kirpal Singh. It is alleged in the FIR that real brother of complainant, namely, Puran Singh took his motor-cycle on 26.2.2020 and when the complainant asked to return the motor-cycle, Puran Singh stated that the motor-cycle belongs to him as he had paid the instalments. It is alleged that accused-Puran Singh told that Devi Lal (petitioner) prepared the documents and got the motor-cycle transferred in his name. On getting the transferred documents under the Right to Information Act, 2005, the complainant found that his signatures were forged and stamp papers were purchased by the petitioner.

Learned counsel for the petitioner submits that it is a dispute between two brothers with regard to ownership of the motor-cycle purchased in the year 2015. The only role attributed to the petitioner is that he had purchased the stamp papers. He further relies upon the order dated 7.12.2020, whereby Puran Singh, brother of the complainant, has been granted interim bail.

Learned counsel for the State opposes the prayer for anticipatory bail stating that forged documents were used to transfer the ownership of the motor-cycle.

The only role attributed to the petitioner is that he had purchased the stamp papers. Moreover there is a dispute between two real brothers with regard to payment of installments of motor-cycle and its ownership. Puran Singh has already been granted interim bail, it is a fit case where the personal liberty of the petitioner should not be deprived. Considering the facts, the petitioner is granted anticipatory bail subject to his joining investigation within two weeks from today. He shall abide by the conditions envisaged in Section 438(2) Cr.P.C.

In case the petitioner fails to join investigation within two weeks, State would be at liberty to file an application for recalling of this order.

The petition stands disposed of.

[AVNEESH JHINGAN]
JUDGE

14th December, 2020

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