

CRM-M-13065-2021

Date of decision: 06.10.2021

Sushil Kumar and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Rahul Arora, Advocate
for the petitioners.Mr. Hittan Nehra, Addl.A.G., Punjab
for the respondent-State.Mr. Piyush Sharma, Advocate
for the complainant.**FATEH DEEP SINGH, J. (ORAL)**

The petitioners-Sushil Kumar and Kishore Chand have come up in the this second anticipatory bail application (first one having been declined by this Court vide order dated 24.08.2020) under Section 438 Cr.P.C. in a case bearing FIR No.0224 dated 08.08.2020 under Sections 420, 465, 467, 468, 471, 120-B of the Indian Penal Code registered at Police Station City Ferozepur, District Ferozepur.

The allegations against the petitioners have been levelled by complainant-Manju Arora. In an allegation, the complainant alleges that one-Subhash Chander Gulati who was the owner of properties, died on 25.02.2017. It is subsequent thereto accused-Rinku Gulati @ Rubi Gulati along with present petitioners entered into a criminal conspiracy and prepared a forged and fabricated Will dated 15.06.2016 on the basis of which they got the properties of the deceased leading to the registration of the present case.

Learned counsel for the petitioner *inter alia* contends that petitioner No.2 is aged around 80 years and that none of the petitioners are beneficiaries and principal accused/beneficiary-Rinku Gulati has been allowed *ad interim* bail by this Court vide order dated 15.03.2021.

The learned State counsel assisted by counsel for the complainant has strongly opposed the grant of bail that the petitioners are on the run since a long time after their initial bail application was declined by this Court and that their custodial interrogation is essential to snub the gamut of the nexus under which this act of cheating has come about.

Appreciating the submissions, the very conduct of the petitioners having been on the run since a long period of time after their first anticipatory bail application was declined in the year 2020 together with the allegations levelled by the opposite side for which custodial interrogation is essential.

This Court does not feel incline to allow the present bail application and thus, the same stands dismissed.

06.10.2021
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No