

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(208)

CRM-M-22084-2020 (O&M)
Date of decision: - 11.11.2021

Karanveer Goyal

....Petitioner

Versus

State of Punjab and another

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Bipan Ghai, Senior Advocate
with Mr. Paras Talwar, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Gagan Pradeep Singh, Advocate
for complainant-respondent No.2..

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.126 dated 16.07.2020 (Annexure P-1), registered under Sections 420, 467, 468, 471 and 201 IPC, at Police Station Kotwali Nabha, District Patiala.

After hearing learned counsel for the parties, a Co-ordinate Bench of this Court has passed the following order on 14.09.2020: -

“CRM 22920 of 2020

This is an application for impleading complainant-Meeta Goyal as respondent No.2.

Notice of the application to the counsel opposite, but he raised no objection, therefore, the same is allowed as prayed for subject to all just

exceptions.

CRM 22921 of 2020

Application for placing on record Annexures R-2/2 to R- 2/5 is allowed as prayed for subject to all just exceptions.

Registry to tag the same at the appropriate place.

CRM-M 22084 of 2020 (O&M)

It transpires that the basis for registration of FIR in the present case is Will dated 07.06.2006 executed by grand-father of petitioner, namely, Ram Krishan (died on 12.09.2006) and which was subsequently registered on 17.09.2007 with Sub Registrar, Nabha.

During the course of hearing, learned counsel for the complainant has pointed out that on earlier occasion, husband of the complainant, namely, Tej Kumar Goyal son of Ram Krishan also made a complaint regarding above Will to police in the year 2009, but the same was not pursued on account of an assurance given by family members and he wishes to place on record copy of the above complaint as well as the proceedings conducted by the police.

On his request, adjourned to 26.10.2020.

Since alleged Will is dated 07.06.2006 and present FIR has been registered after 14 years i.e. on 16.07.2020, therefore, **till the next date of hearing**, let the petitioner be released on interim bail on his furnishing bail bonds/ surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.”

At this stage, learned counsel appearing on behalf of the complainant submits that as per the complainant, certain documents, which were actually forged, have been tendered by the petitioner to support his case.

This Court while considering the claim of the petitioner for the grant of bail, is not to decide whether the petitioner is guilty or innocent. Said finding is to be recorded as per the evidence, which will come on record during the trial. In case the complainant has any evidence to prove the assertion that the petitioner has done something wrong and

have forged some documents, complainant will be free to lead the required evidence during the trial and same will be appreciated by the learned trial Court at the appropriate stage by passing appropriate order.

Keeping in view the fact that the petitioner is already on interim bail for the last more than one year and nothing has been pointed out to this Court that the petitioner has misused the concession of said interim bail as of now, the present petition is allowed and the order dated 14.09.2020 passed by a Co-ordinate Bench of this Court granting interim bail to the petitioner is made absolute.

Pending applications i.e. CRM-20565-2020; CRM-26660-2020; CRM-3395-2021 and CRM-27239-2021 stand disposed off in view of the order passed in the main petition.

November 11, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No