

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

(213)

CRM-M- 28273-2021

Date of decision:- 05.08.2021

Palwinder Singh**... Petitioner****Versus****State of Punjab****... Respondent****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Ms. B.P.K. Brar, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

SUVIR SEHGAL, J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of interim bail in case FIR No.160 dated 23.08.2018 under Section 379-B of the Indian Penal Code, registered at Police Station Majitha, District Amritsar for treatment of his ailing wife- Gurpreet Kaur, who is suffering with left ear Mastoiditis with Cholesteatoma.

Vide order dated 22.07.2021, this Court issued notice to the State and directed it to verify the medical certificate (Annexure P-2) and file a report. In compliance thereof, affidavit of Assistant Superintendent of Police, District Amritsar Rural has been filed wherein it has been deposed as under:-

“3. That the verification of the medical certificate i.e. Annexure P-2 has been done by ASI Kuldip Singh, Investigation Officer of the case from the Asst. Professor, ENT Department, Government Medical College – Amritsar

and that it has been found that the certificate has not been issued by them. Therefore, the medical certificate annexed as Annexure P-2 has been found to be fake.

4. That in relation to the trial of the present case it is submitted that there are eighteen prosecution witness (PW) in this case and that all of them have been examined before the Hon'ble Court. Now the case is fixed before the Ld. Trial Court on date 09.08.2021 for defence evidence in the case.”

From the affidavit filed by the Assistant Superintendent of Police, it has apparent that the petitioner has placed reliance upon a fabricated document.

Faced with situation, counsel for the petitioner has requested for withdrawal of the petition.

Her request is rejected.

As the petitioner has relied on a forged certificate, petition is dismissed with costs of Rs.10,000/-. Costs be deposited with the District Legal Services Authority, Amritsar within a period of four weeks from today.

Copy of the order be sent to the District Legal Services Authority, Amritsar.

05.08.2021

Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No