

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

**CRM-M No.31402 of 2021
Date of Decision:-03.09.2021**

Vikram

.....Petitioner.

Versus

State of Haryana

.....Respondent.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Ajay Kripal Singh, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Mohit Nehra, Advocate
for the complainant.

MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case pertaining to the FIR bearing No.73 dated 12.03.2019 registered at Police Station Civil Lines, Bhiwani, District Bhiwani, under Sections 420, 467, 468 and 471 IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Shorn and short of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner had forged the agreement to sell in respect of the land and also an affidavit in respect of the vehicle bearing registration No.HR-61B-7673 belonging to the complainant.

Status-report filed by way of the affidavit of Deputy

Superintendent of Police, Bhiwani, and Annexure R-1 are already available on the file and the same are taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel (assisted by learned counsel for the complainant) in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the civil suit is already pending between the petitioner and the complainant regarding the specific performance of the said agreement and in the FSL report, the disputed signatures of the complainant and the specimen signatures of the petitioner are not opined to have been written by the same person and thus, the petitioner has been falsely implicated in this case and in these circumstances, he deserves the relief as prayed for in this petition.

Per contra, learned State counsel (assisted by learned counsel for the complainant) argues that though the civil litigation is pending between the parties but the petitioner had forged the signatures of the complainant on both the afore-said documents, inviting criminal action against him and moreover, the petitioner has not been given a clean-chit in the FSL report and rather, it has been mentioned therein that it was not possible to express opinion on the comparison of the questioned signatures of the complainant with the specimen signatures of the petitioner and it being so, this petition be dismissed.

It has been mentioned in the status-report that the specimen signatures of the petitioner were obtained and the deed-writer of the said disputed agreement, was joined in the investigation and he stated that he

had not prepared the said document and during the verification of the facts, it was found out that the petitioner had forged the said documents in connivance with his co-accused and the original agreement and the affidavit are yet to be recovered from him and in such circumstances, the possibility of the requirement of the custodial interrogation of the petitioner cannot be ruled out.

As regards the FSL report (Annexure R-1), it has been opined therein that the person who wrote the admitted signatures, i.e the complainant, did not write the disputed signatures. Moreover, all that has been mentioned in the FSL report qua the comparison of the disputed signatures of the complainant with the specimen signatures of the petitioner, is that it was not possible to express any opinion qua the same and this fact, in itself, does not suffice at all, at this stage, to extend the benefit of anticipatory bail to the petitioner.

Keeping in view the above-discussed facts and circumstances as well as the gravity of the allegations levelled against the petitioner, this Court is of the considered opinion that he does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed accordingly.

September 03, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*