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

CRM-M No. 35853 of 2020
Date of Decision: 07.01.2021

Gurnam Singh Thind

-Petitioner

Versus

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Armaan Gagneja, Advocate, for
Mr. Rahul Arora, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.0048 dated 19.05.2018 registered under Sections 419, 420, 465, 467, 471, 120-B IPC at Police Station Cantt Ferozepur, District Ferozepur.

On 04.11.2020, following order was passed:-

“The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that brother of the complainant i.e.

Manmohan Nath went missing in the year 1998. Manmohan Nath had executed a General Power of Attorney in favour of Jaswant Singh and in pursuance thereof, sale deed was executed in favour of co-accused Vijay Kumar by showing that principal is still alive. Petitioner is a licenced document writer in Tehsil Complex, Ferozepur. He scribed the documents after proper verification from HRC branch regarding genuineness of power of attorney. Power of attorney is of the year 1982. From the year 1982 to 1998, no effort was made by the executant to cancel the said power of attorney. Beneficiary of the sale deed i.e. Vijay Kumar filed CRM-M No.35897 of 2018 for grant of anticipatory bail. Interim anticipatory bail was granted to him vide order dated 20.8.2018, which was made absolute vide order dated 13.12.2019. Complainant has never challenged the power of attorney of the year 1982, nor the same was ever revoked/ cancelled by the executant. The complainant has also filed a suit for declaration challenging the sale deed, which is pending in the Civil Court.

Notice of motion for 07.01.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 10.11.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to

the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Harbans Singh submits that in compliance of order dated 04.11.2020, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer and he is no more required in further investigation of the case.

In view of above, order dated 04.11.2020 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer.

January 07, 2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No