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

CRM-M No. 43874 of 2020
Date of Decision: 11.01.2021

Subash Chaudhry

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Baldev Singh Sodhi, Advocate,
for the petitioner.

Mr. Sarabjeet Singh Cheema, A.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

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

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.224 dated 08.08.2020 under Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police Station City Ferozepur, District Ferozepur.

Learned counsel for the petitioner submits that petitioner is the scribe of the alleged Will and he has not identified any witness or the executor. Petitioner is also not the beneficiary of the alleged Will. Parties have already compromised the matter on 07.12.2020.

Offences are triable by Magistrate.

Petitioner is in custody since 27.11.2020.

Petitioner is in judicial custody and challan has not been presented so far.

Petitioner is not required in any further investigation of the case.

Learned State counsel, on the other hand, submits that the petitioner is found to be the neighbour of Rinku Gulati @ Rubi Gulati. The complaint was filed by Manju Arora on the basis of which FIR was registered. Manju Arora is wife of Sanjay Arora and daughter-in-law of deceased Subhash Chander Gulati. FIR was registered against Kishore Chander, Sushil Kumar, co-accused Rinku Gulati @ Rubi Gulati and the present petitioner.

Subhash Chander Gulati was the original owner of certain properties, who died on 25.02.2017. Rinku Gulati @ Rubi Gulati managed and get prepared his forged and fake Will dated 15.06.2016 registered on 11.08.2017 in connivance with Kishore Chander and Sushil Kumar.

The signatures of the deceased on the Will were found to be forged.

Learned State counsel further submits that the prosecution has not recorded the disclosure statement of the

petitioner in the context of his being a professional deed writer or his proximity with the main accused.

Keeping in view the custody of the petitioner, offences being triable by Magistrate and the compromise between the parties, I deem it appropriate to enlarge the petitioner on regular bail.

Keeping in view the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

11.01.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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