

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

**CRM-M-49693-2021
Date of Decision : 03.12.2021**

Sukhpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Jitender S. Dadwal, Advocate
for the Petitioner.

Mr. R.S. Khaira, AAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.47, dated 13.02.2020, registered under Sections 419/420/465/467/468/471/120-B of the Indian Penal Code, at Police Station Sohana, District SAS Nagar (Mohali).

2. The Petitioner has remained in detention for almost a month and a half since 19.10.2021.

3. The basic allegation in the FIR lodged by the wife of an NRI namely Gurvinder Singh is that a forged Power of Attorney was created by way of impersonation firstly in favour of one Sulakhan Singh @ Sukha, who in turn transferred the land originally belonging to the deceased-wife of the Complainant's husband in favour of one Joga Singh, who subsequently transferred the same to one Jagjiwan Singh from whom the present

Petitioner acquired his interest in the said land. All this story remains based on a single premise that from the very beginning the various purchasers/ recipients of the disputed land were part of any conspiracy, or were aware of the fact that the original Power of Attorney was forged, which *ex facie* would appear to be improbable since the succeeding transactions took place over a number of years and more importantly there is no direct Complaint from the actual owner namely Gurvinder Singh, who continues to remain living abroad.

4. Considering the above circumstances and the long detention already undergone by the Petitioner, at this stage, he is ordered to be released on bail to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

5. Disposed off.

December 03, 2021

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No