

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CRM No. M-50150 of 2021
Date of Decision : 07.12.2021

Tejinder Singh @ Tajinder Singh

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. S.S. Dinarpur, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view advance copy given)

Mr. Vineet Chaudhary, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 376 dated 25.09.2021, registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Ambala City, District Ambala.

Learned counsel for the petitioner argues that the allegation alleged is of preparation of a forged Will of one Laxman Singh while her daughter-in-law, namely, Sukhwinder Kaur and the petitioner had signed that Will as attestant. Learned counsel for the petitioner submits that petitioner is not a beneficiary of the said Will in any manner and now as the investigation is over and the challan has already been presented, no useful purpose will be achieved in keeping the petitioner behind the bars as the petitioner undertakes not to influence the trial or the witnesses in any manner.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who is present in Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Mr. Vineet Chaudhary, Advocate, appears in Court and files his Vakalatnama on behalf of the complainant.

Learned State counsel, on the other hand, submits that the allegations alleged against the petitioner are very serious in nature though, as of now, the investigation is over and the challan has already been presented by the investigating agency before the Competent Court of Law.

Learned counsel for the complainant vehemently opposes the prayer of the petitioner stating that the Will has been forged by Sukhwinder Kaur in-conivance with the petitioner and the petitioner played active part in preparation of the said forged Will and, therefore, petitioner, who is guilty of the said act, may not be granted the concession of regular bail.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

This Court is not opining upon the guilt or the innocence of the petitioner, which will be established on the basis of the complete evidence, which will come on record during trial. At this stage, the only question to be considered by this Court is whether the petitioner should be kept behind the bars during the trial or not. Nothing has come on record so far to indicate that the petitioner will influence the trial or the witnesses in any manner or will abscond from the trial in case granted bail. Rather, learned counsel for the petitioner has undertaken before this Court that in case the petitioner is granted the concession of regular bail, he will not influence the

trial or the witnesses in any manner. That being so, as the trial is likely to take some time before the same concludes, no useful purpose will be served in keeping the petitioner behind the bars during the entire period of trial, the petitioner has made out a case for the grant of regular bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

December 07, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? Yes