

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

**CRM-M No.7096 of 2022 (O&M)
Decided on: 10.03.2022**

Harcharan Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Sunny K. Singla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Mohd. Yousaf, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.6 dated 19.01.2022, under Sections 420, 120-B, 465, 467 IPC, 1860, registered at Police Station Sandaur, District Malerkotla.

The operative part of the order dated 21.02.2022, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“....A complaint dated 20.09.2021 was filed by one Mahant Inder Dass Chela Mahant Bant Dass, It was alleged that the petitioner along with co-accused Hari Singh and Raj Singh had, with an intention to grab the property of Dera, situated at village Dulma Kalan had got prepared a forged Will dated 28.12.2015 of Kulwant Dass Chela Bant Dass in favour of the petitioner. It is further alleged that one Kulwant Singh son of Arjun Singh had

impersonated as Kulwant Dass Chela Karam Dass at the time of the preparation of the Will. It was further alleged that the petitioner had produced the Will in various offices and got the land transferred in his name on the basis of that Will.

Mr. Singla, Learned counsel for the petitioner has argued that the very claim of the complainant of being the Mahant of the Dera is disputed. A civil suit filed by him for being declared as the Mahant of the Dera after the death of Mahant Bant Dass was dismissed for nonprosecution on 3.3.2015. The complainant took no proceedings to get it restored.

The complainant had been illegally appointed/recognized as Mahant of the Dera by the Financial Commissioner, Punjab. The petitioner has filed CWP No. 22632 of 2020, assailing that order of the Financial Commissioner, Punjab. The said petition is pending and notice regarding stay has been issued. It is further stated that after the appointment of the complainant as Mahant of the Dera, the property had been mutated in the name of the complainant. The petitioner had assailed that order before the Financial Commissioner who has directed maintenance of status quo. He further argued that even though the Will is of the year 2015, the complainant has not filed any suit for declaration that the Will is forged and illegal.

Learned counsel for the petitioner states that the petitioner is ready and willing to join investigation and co-operate with the investigating agency.

Notice of motion for 10.03.2022....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 21.02.2022, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State assisted by counsel for the complainant and on instructions from ASI Harjinder Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 21.02.2022 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

10.03.2022
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No