

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22672-2022 (O&M)

Date of Decision:- 24.5.2022

Manjit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. T.P.S.Tung, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

Today, at the very outset, learned counsel for the petitioner submits that since the matter is presently fixed before the trial Court for consideration on framing of charges, he may be permitted to withdraw the petition at this stage with liberty to raise all the pleas as have been raised herein before the trial Court at the stage of consideration as regards framing of charges including the following pleas:

- i. That the petitioner was never a party or a witness to the allegedly forged Power of Attorney dated 22.10.2012 which is alleged to have been forged in favour of Manjit Singh s/o Balwinder Singh and purported to have been executed by Wassan Singh.

- ii. That it was only at a later stage when said Manjit Singh executed a sale deed in favour of his mother-in-law on 12.2.2013 that the petitioner who is a Lambardar had identified Manjit Singh s/o Balwinder Singh and that the said identification had been correctly made and he had no clue whatsoever that the Power of Attorney in favour of said Manjit Singh s/o Balwinder Singh was a forged or fabriacted document and that in these circumstances it cannot be said that he had anything to do with fraud pertaining to the execution of the sale deed or the Power of Attorney.
- iii. That in the absence of any evidence to show that the petitioner was part and parcel of the conspiracy right from very beginning he cannot be saddled with any liability in any manner.

In view of the aforesaid submission, the petition is disposed of with liberty to the petitioner to raise all the pleas as have been raised herein and also noticed above before the trial Court at the stage of consideration of framing of charges.

Needless to mention, the trial Court, upon such pleas being raised shall pass a speaking order considering the same in accordance with law.

24.5.2022
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No