

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

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CRM-M-27490-2022 (O&M)

Date of Decision: 05.12.2022

MANOHAR SINGH

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

Mr. Vikas Kumar Gupta, Advocate
for the victim.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.263 dated 14.12.2021, registered at Police Station City, District Hoshiarpur, under Sections 420, 465, 467, 468, 471 and 120-B IPC.

Learned counsel for the petitioner submits that the petitioner, who is about 76 years of age, has falsely been involved in the present case; that Hardev Singh (son of the petitioner) got married to Baljinder Kaur on 25.02.2014 and that, though, Baljinder Kaur (daughter-in-law of the petitioner) lodged FIR No.8 dated 10.09.2012 under Section 498-A IPC, at Police Station NRI District Hoshiarpur, against the petitioner, Santosh Kaur and Hardev Singh Panesar, yet after trial, they were acquitted by the learned trial Court on 24.05.2019. He further submits

that Hardev Singh got an ex parte divorce decree from the complainant and that the complainant moved an application stating therein that the ex parte divorce decree was obtained on the basis of forged documents. Still further, it is submitted that the petitioner is neither a beneficiary nor has forged any document, at any stage and that the petitioner has been in custody since 22.03.2022.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel and learned counsel for the complainant do not dispute the custody period of the petitioner.

Learned State counsel submits that there are specific allegations against the petitioner, inasmuch as, he along with his son had forged the documents and used the same as genuine.

I have heard the learned counsel for the parties.

Admittedly, in a complaint filed under Section 498-A IPC, the petitioner along with his other family members were acquitted. An ex parte divorce decree has already been granted in favour of Hardev Singh (son of the petitioner). As per the learned counsel for the petitioner, the petitioner had not produced any fake document before any Court concerned, at any stage. The petitioner has been in custody since 22.03.2022. Prosecution evidence is yet to conclude. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

05.12.2022

(HARNARESH SINGH GILL)
JUDGE

Aman Jain

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>