

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32108 of 2022

Date of Decision: 26th July, 2022

Karnail Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Y. S. Turka, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 354 dated 17.8.2021 under Sections 420, 467, 468, 471 IPC (Section 419 IPC added later on), registered at Police Station Ambala Cantt.

The FIR was registered at the instance of Sub Registrar, Ambala Cantt. Alleging that on 18.3.2021, for online registration of the land, appointment was taken by Santosh. When the seller was asked to show the original documents, he fled away. During enquiry it revealed that the land measuring 537 square yards was purchased by Dharambir Singh in the year 1993 from Bhag Singh but the sale deed could not be executed and power of attorney was given in favour of Dharamvir. Bhag Singh died in the year 1994 without getting the sale deed executed. The plot was registered in the name of Bhag Singh. Dharambir also died in the year 2019. Dhirendervir Singh and his brother Dharamender (Sons of Dharambir) sold the plot registered in the name of Bhag Singh to Santosh for Rs.11,00,000/-. The sale deed was scribed by affixing the photo of Dhirendervir Singh on Aadhaar Card of deceased-Dharambir Singh and he impersonated as Dharambir Singh (deceased). The role attributed to the petitioner is that he forged the Aadhaar Card by placing the photo of Dhirendervir Singh on the photo of the Dharamvir Singh (deceased).

Learned counsel for the petitioner submits that the petitioner is not the beneficiary, he was named in a disclosure statement, he is ready to join the investigation, challan stands presented against the co-accused.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of pre-arrest bail. He submits that the allegations are serious and Aadhaar Card was forged. The contention is that the matter is still under investigation so far as petitioner is concerned.

The observations made hereinafter shall not be construed as an expression of opinion on the merits of the case and are being made only for for the purpose of deciding the present application for anticipatory bail.

The allegations against the petitioner are serious. For online registration of the sale deed, the documents form the foundation for registration. The petitioner played an active role for forging the Aadhaar Card, facilitating Dhirender Singh to execute the sale deed by the name of his deceased father. A deeper probe is required to unearth the *modus operandi* of the petitioner.

No case is made out for grant of anticipatory bail.

The petition is dismissed.

(AVNEESH JHINGAN)
JUDGE

26th July, 2022
mk

Whether reasoned/speaking	Yes
Whether reportable	No