

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

CRM-M-37107-2022 (O&M)

Date of Decision:-**07.09.2022**

RAVI INDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. R.S. Cheema, Senior Advocate with
Mr. Arshdeep Singh, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. P.S. Ahluwalia, Advocate
for the complainant.

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KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.202 dated 15.7.2021 registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station Tripuri District Patiala.

The counsel for the petitioner contended that the petitioner is in custody for the last more than 7 months. The counsel for the petitioner further submitted that the petitioner was not named in the FIR, which was

lodged against Harbans Singh, Ravinder Singh son of Ajaib Singh, Pardeep Kumar and Anil Kumar. That as per the prosecution version, one general power of attorney alleged to be executed by Krishan Mahinder Singh and his wife regarding their property in favour of aforesaid Harbans Singh, was forged by the aforesaid persons in connivance with the present petitioner. The counsel for the petitioner further submitted that the petitioner is neither signatory to nor beneficiary of the said general power of attorney which was attested by Ravinder Singh son of Ajaib Singh and Anil Kumar and the concerned stamp papers were provided by Pardeep Kumar. The counsel for the petitioner further submits that the prosecuting agency tried to make aforesaid Ravinder Singh son of Ajaib Singh and Anil Kumar as Approver but the said request was declined by the Court of Chief Judicial Magistrate, Patiala vide order dated 14.2.2022 (Annexure P-5). The counsel for the petitioner further submitted that the petitioner has been falsely implicated in the present case just on the basis of suspicion. The counsel for the petitioner further submitted that after completion of investigation, the police has presented the challan, but charges are yet to be framed and thereafter it will take considerable time for the trial to conclude, so the prayer is made that the petitioner be granted bail.

The present petition is contested by the State counsel and the counsel for the complainant.

The counsel appearing on behalf of the complainant has submitted that the GPA in question was fabricated by the accused named in the FIR in connivance with the present petitioner. The counsel for the complainant further submitted that the petitioner is great grandson of Pritam

Singh who was real brother of the father of the complainant. The counsel for the complainant further submitted that co-accused Ravinder Singh son of Ajaib Singh and Anil Kumar were arrested and during their interrogation, it was found that the petitioner actively participated in the fabrication of the GPA in question. The counsel for the petitioner further submits that the entire exercise was carried out by the petitioner to grab the property of the complainant and his wife. The counsel for the petitioner further submits that the petitioner is also involved in another two cases of same nature, wherein he has been granted bail. The counsel for the complainant further contended that at this stage, when the trial is yet to begin, no ground is made out to grant regular bail to the petitioner.

I have considered the submissions made by counsel for the parties.

Admittedly the petitioner was not named in the FIR and he was nominated as an accused only on the basis of the alleged disclosure made by co-accused. The relevancy and admissibility of the said disclosure would be considered by the trial Court at the appropriate stage of the trial. The State counsel as well as the counsel for the complainant have not disputed the fact that the petitioner is not beneficiary of the alleged GPA and his name and signatures are not appearing in the said GPA. The petitioner was arrested on 3.2.2022 and is presently lodged in judicial custody. After completion of investigation the police has presented the challan, but charges are yet to be framed. All the offences are triable by the Court of Judicial Magistrate Ist Class. It will take considerable time for the trial to conclude even after

framing of charges. So no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

07.09.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No