

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

210

CRM-M-46042-2021

Date of Decision : **March 15, 2022**

ANKUR KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. G.C.Shahpuri, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The learned counsel for the petitioner has submitted that in pursuance to the order passed by this Court on 2.11.2021, the petitioner has joined the investigation and has also co-operated with the investigation process and, therefore, the aforesaid interim order may be confirmed. He submitted that even as per the allegations, the alleged role of the petitioner was that he was only a marginal witness to the Will which was alleged to be forged Will. He further submitted that the Will has been duly notarized by the Notary and the petitioner has only witnessed the Will in good faith and otherwise also the petitioner is not the beneficiary of the Will and infact the beneficiary of the Will is one co-accused, namely, Vinod Kumar, who has also filed a suit for declaration on the basis of said Will prior to the lodging of the present FIR and, therefore, the authenticity of the Will is yet to be ascertained by the Civil Court and the matter is sub judice before the Civil Court.

On the other hand, the learned State counsel has submitted that although the petitioner has joined the investigation but he has not disclosed the name of the person from whom he got prepared the fake death certificate of deceased.

However, Mr. Shahpuri, Advocate while answering the submissions made by the learned State counsel has submitted that the petitioner does not know anything about the aforesaid objection raised by the learned State counsel in view of the fact that the main accused in the present case is Vinod Kumar from whom the information should be sought and not from the petitioner, who was only a witness to the Will.

I have heard the learned counsels for the parties.

In pursuance of the order passed by this Court on 2.11.2021, the petitioner has joined the investigation. The objection raised by the State is not sustainable.

In view of the above, the present petition is allowed and order dated 2.11.2021 is, hereby, made absolute.

(JASGURPREET SINGH PURI)
JUDGE

March 15, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No