

209

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

CRM-M-52475-2021
Date of decision: 30.03.2022

KRISHAN SINGH GHAI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

In FIR No.165 of 13.11.2021, registered at Police Station Ghagga, District Patiala, offences constituted under Sections 420, 467, 468, 471, 506, 120-B of IPC, 1860, are embodied.

2. The present bail petitioner is a stamp vendor, and, had facilitated the commission of the offences (supra), at the instance of the principal offender concerned, through his making ante-datings on the non-judicial stamp papers, and, whereons the agreement to sell became scribed. Though, this Court, on 07.02.2022, had made an order, upon the learned State counsel to place on record the original of the agreement to sell concerned. However, the non-production of the afore before this Court, may not work as an obstacle, and, nor as an impediment for this Court admitting the bail petitioner to anticipatory bail, as may be the afore agreement to sell is in the custody of the complainant, who may have chosen to append it alongwith the civil suit, as may be instituted, before the learned Civil Court concerned, seeking therein the relief of specific performance of the agreement to sell concerned.

3. Be that as it may, even otherwise since the photocopy of the original of the agreement to sell has already been collected by the investigating officer concerned, and, when *prima-facie* the occurrence therein of the ante-time dated may be visible, and, may not require any opinion from the handwriting expert concerned, as the deterrence, upon the handwriting expert concerned, to make an opinion, upon the photocopies of purportedly forged documents rather arises only when there is a dispute with respect to the writings or signatures. Moreover, when from the record, as maintained by the Treasury concerned, with respect to the releases being made therefrom, of non-judicial stamp papers concerned, the factum of alleged ante-timings, in the non-judicial stamp papers concerned, and, may be allegedly at the instance of the bail petitioner, does, also become the best evidence, to make an appropriate conclusion, that the relevant incriminatory ante-timings becoming possibly made by the bail petitioner.

4. Therefore, in the wake of above, and, also when even otherwise with the relevant investigations appertaining to the petitioner concerned, are complete, and, that very soon a report under Section 173 Cr.P.C., becoming assured to be filed before the learned Magistrate concerned, whereupon, this Court does not deem it fit, and, appropriate to order for custodial interrogation of the bail petitioner.

5. In summa the order as made, by this Court, on 16.12.2021, is made absolute on the same terms and conditions.

6. Disposed of.

(SURESHWAR THAKUR)
JUDGE

30.03.2022

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Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No