

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

CRM-M-54740-2021 (O&M)

Date of decision: 13.01.2022

Harjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Nitin Narula, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

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

Learned counsel for the petitioner submits that the complainant had filed a complaint against her father-in-law, Manohar Singh, and others family members, in the year 2008, in which he is on bail. During the proceedings of the complaint, Manohar Singh took permission from the learned trial Court and went to England, being an NRI. On 11.02.2020, due to Covid-19 pandemic, he was not able to appear before the trial Court and absented himself from the Court proceedings. Resultantly, the trial Court cancelled his bail/surety bonds and issued non-bailable warrants against him. The trial Court further directed Manohar Singh to produce the surety and the lambardar before it on 16.12.2021, but Manohar Singh, was not able to produce them in Court following which an enquiry was conducted.

Learned counsel for the petitioner further submits that the

petitioner has committed no offence, the allegation against him is that he had witnessed the surety bonds in a good faith and his liability was at the best to identify the person not to the property. Rather the petitioner has nothing to do with the fake documents, which are alleged to be produced before the trial Court.

I have heard the learned counsel for the petitioner.

It is a case, in which the present FIR has been registered at the instance of Judicial Magistrate, before whom Manohar Singh has furnished fake documents, having forged signatures of Patwari and Tehsildar. The identity card of Manjit Singh was also a fake one. Further, in an enquiry also, it was found that the documents furnished by Manohar Singh as surety bonds, were fake ones. Further, in a report sought by the learned Magistrate, it has been stated that fake signatures of the Tehsildar and the Patwari have been put on the documents placed before the complainant-Magistrate. Even there is no Lumbardar in the name of Manjit Singh in the village Manawala.

The FIR has been registered in respect of the fraudulent conduct of the petitioner in connivance with the other co-accused has cheated the Court by witnessing the surety bonds attested by a fake Lumbardar. Thus, having made the Court believe and act on the wrong surety, the petitioner is not entitled to the concession of anticipatory bail.

In view of the above, no case is made out to grant the concession of anticipatory bail to the petitioner.

Dismissed.

13.01.2022

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No