

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52091-2022
DECIDED ON: 17.11.2022

LACHHMAN SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.37, dated 15.04.2022, under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Badhni Kalan, District Moga.

Learned counsel for the petitioner contends that the whole dispute in the present case revolves around a Will, which was registered bearing Wasika No.2020-211I34131722 dated 02.12.2020. He also contends that the petitioner has been falsely implicated in the present case and is in custody since 02.05.2020. He further contends that the present case is triable by Magistrate and the charges have already been framed after withdrawal of the first bail application of the petitioner vide order dated 15.09.2022.

On the other hand, learned State counsel has filed custody certificate of the petitioner today in the Court, which is taken on record.

According to the custody certificate, the petitioner is already behind bars for

the last 06 months and 25 days. He could not controvert the fact that the charges have already been framed and there is change of circumstances after withdrawal of the first bail application.

Keeping in view the fact that the said disputed Will is under challenge before the Civil Court with regard to its genuinity and validity; also the fact that the trial is likely to take long time; the petitioner is already behind bars for almost 07 months, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

17.11.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>