

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

CRM-M-15545-2023

Date of Decision: March 29, 2023

BALVIR SINGH AND ANR

..... Petitioners

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Paras Talwar, Advocate and
Mr. Sidharth Sehgal, Advocate for petitioners.
Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail pending trial in case FIR No. 09 dated 28.01.2023 under Sections 420, 465, 467, 471 and 120-B registered at P.S. Kiratpur Sahib, Punjab.

As per allegations levelled in the FIR, the petitioners being alleged purchaser, forged and fabricated an agreement to sell dated 23.08.2021, regarding the land owned by the complainant.

Learned counsel for petitioners submits that the validity and veracity of agreement in question is already sub judice before the Court of Civil Judge, Junior Division, Anandpur Sahib, bearing No. CS-84-2021 titled as "Gagandeep Singh and Ors. Vs. Jasjit Singh and Ors." Learned counsel further submits that the petitioners are already behind bars for a period of almost two months now and their custodial interrogation is not required at this stage, the matter being purely of civil nature.

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On the other hand, learned State counsel assisted by Mr. P.S. Paul, Advocate, representing the complainant, oppose the prayer made on behalf of the petitioners while submitting that the signatures of complainant-vendor over the agreement in question dated 23.08.2021 have been found to be forged by FSL, SAS Nagar, Mohali.

I have heard learned counsel for the parties and have gone through the paper-book. I find substance in the submissions made on behalf of learned counsel for petitioners.

The validity and veracity of the agreement in question dated 23.08.2021 allegedly executed in favour of the petitioners at the instance of respondent-complainant is sub judice before Civil Court and the petitioners are already behind bars for a period of almost two months now, the controversy involved in the present case being akin to civil nature proceedings, no useful purpose would be served by extending the incarceration of petitioners.

Without commenting upon merits of present petition, the same is allowed. Petitioners are ordered to be released on bail subject to their furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaqaa Magistrate/Duty Magistrate.

29.03.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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