

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M-62644-2023(O&M)
Date of decision: 21.12.2023

Amrik Singh

... Petitioner

Vs.

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present :- Mr. Arun Kumar Kaundal, Advocate for the petitioner.

Mr. A.P.S. Tung, DAG, Punjab.

SUVIR SEHGAL J. (ORAL)

Instant petition has been filed under Section 439 Cr.P.C.,
seeking grant of regular bail to the petitioner in:-

FIR No.	Dated	Police Station	Section
142	30.04.2023	City Kharar, District SAS Nagar (Mohali) Punjab	406, 420, 465, 467, 468, 471 and 120-B of IPC

2. Counsel for the petitioner submits that the allegation of forgery is not made out as the petitioner has been duly authorized by a resolution dated 13.01.2021, Annexure P-2, passed by the Board of Directors of M/s Sky Lark Colonizer Pvt. Ltd. to execute sale deeds of flats and plots and to receive consideration. He submits that the petitioner

has not committed any forgery. Still further, by making a reference to the memorandum of understanding dated 28.09.2023, Annexure P-7, he submits that dispute has been amicably settled. He asserts that the petitioner is named as an accused in two other criminal cases but both have been lodged on the similar allegations and he has been granted concession of regular bail. He asserts that the petitioner is no longer required for custodial interrogation as investigation qua him is complete.

3. Opposing the petition, State counsel, upon instructions from ASI Kulwinder Singh submits that the petitioner has acted in connivance with the co-accused and is hand in glove with them. He submits that the petitioner has not only cheated the complainant but has also committed forgery of documents. Counsel for the complainant has however supported the prayer made in the petition and has admitted the factum of compromise.

4. Heard learned counsel for the parties and perused the documents appended with the petition with their able assistance.

5. The role prescribed to the petitioner and the nature of allegations levelled against him would remain a subject matter of debate before the trial Court. The dispute between the parties has been amicably settled. The Investigating Agency has concluded the investigation and presented the challan. Petitioner, who is in custody for the last more than seven months, therefore, deserves to be enlarged on bail.

6. Without adverting to the merits or demerits of the arguments addressed, petition is allowed and the petitioner is ordered to be released

on bail on furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. It is clarified that any observation made hereinabove shall not be construed to be an expression of opinion on the merits of the case.

21.12.2023

(SUVIR SEHGAL)
JUDGE

pooja saini

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No