

2024:PHHC:061667

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-21974-2024
Date of decision : 03.05.2024

Ved Parkash Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

PANKAJ JAIN, J. (Oral)

1. Prayer is for grant of pre-arrest bail in FIR No.40 dated 12.04.2024, registered for the offences punishable under Sections 420, 465, 468, 471 and 120-B of IPC at Police Station Sarabha Nagar, Police Commissionerate Ludhiana.
2. Counsel for the petitioner submits that the matter is of civil nature which has been given criminal colour. Petitioner was always and still ready to perform his part as per the agreement to sell. Thus, no purpose would be served by sending the petitioner behind bars and he would be entitled for pre-arrest bail.
3. I have heard counsel for the petitioner and have gone through the records of the case carefully.
4. The precise allegations against the petitioner that having merged after enquiry is that he alongwith the co-accused forged agreement to sell dated 05.01.2024 by creating it as ante dated document. The same was forged and fabricated with an intent to get the

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per the report dated 17.12.2021, forensic analysis also led to the conclusion that the document is a forged and fabricated. The intent to defeat the law at the hands of the petitioner does not stop there. He approached this Court invoking Section 482 trying to create a smokescreen that he is a victim of repeated enquiries.

5. The parameters for considering prayer for pre-arrest bail have been laid down by Supreme Court in the case of **Gurbaksh Singh Sibbia vs. State of Punjab, 1980 (2) SCC 565**, reiterated in **Sushila Aggarwal and others Vs. State (NCT of Delhi) and another, 2020 (5) SCC 1**, there is no ground for this Court to believe at this stage that the allegations against the petitioner are actuated by any malafide.

6. In view of the serious allegations levelled against the petitioner, this Court does not find it to be a case for grant of pre-arrest bail.

7. Resultantly, the present petition is dismissed.

(PANKAJ JAIN)
JUDGE

03.05.2024

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No