



CRM-M-29781-20241

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-29781-2024

Date of decision : August 01, 2024

Gurlal Singh and another.....Petitioner

VERSUS

State of Punjab.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Shiv Kumar Sharma, Advocate, for the petitioner
Mr. Sahil R. Bakshi, AAG, Punjab

KULDEEP TIWARI,J. (ORAL)

1. On 13.6.2024, this Court had passed the hereinafter extracted order, upon the instant petition :-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioners seek the concession of anticipatory bail, in FIR No.148 dated 14.12.2023, under Sections 419/420/120-B/465/466/467/468/471 of the IPC, registered at P.S. Dirba, District Sangrur.

2. The learned counsel for the petitioners submits that the Jamabandi, which is alleged to be forged by the petitioners, pertains to the year 1989-1990, and, the sale deed which has been executed on the basis of the said Jamabandi, also pertains to the year 2000, whereas, the present FIR has

**CRM-M-29781-2024****2**

been registered much belatedly, i.e. after two decades of the execution of the sale deed concerned. He further submits that the dispute at hand is a family dispute, inasmuch as, it relates to inheritance of the father of Gurwinder Kaur (complainant's wife). Lastly, he submits that the entire case is based upon documentary evidence and the custodial interrogation of the petitioners is not required.

3. Notice of motion for 01.08.2024.

4. Mr. Akshay Kumar, A.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

5. In the meantime, the petitioners are directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

2. In deference to the aforesaid order, the petitioner has joined the investigation. Considering the fact that the entire case is based on documentary evidence, this Court is of the view that the custodial interrogation of the petitioner is not required.

3. In view of the above, the hereinabove extracted interim order dated 13.6.2024, is hereby made absolute, subject to the



CRM-M-29781-2024

3

hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;*
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;*
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”*

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

August 01, 2024
'tiwana'

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ?	Yes/No
Whether Reportable ?	Yes/No