



CRM-M-36573-2024

-1-

219

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36573-2024

Date of Decision:- 17.09.2024

Makhan Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Mikhail Kad, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Harpreet S. Multani, Advocate and
Ms. Kritika Kumari, Advocate
for the complainant.

AMARJOT BHATTI, J.

Petitioner – Makhan Singh has filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 55 dated 23.05.2024 under Section 465, 467, 468, 471, 120-B of Indian Penal Code, 1860, registered at Police Station Dirba, District Sangrur.

2. As per the facts of case, written complaint was received from Laddi Singh against Jashan Preet Singh and Makhan Singh alleging that earlier complaint was filed against Jashan Preet Singh for not depositing lease money and for not making payment of installment of car. During investigation, it was revealed that Jashan Preet Singh had produced forged affidavit in his name and a false compromise was produced. Complainant

**CRM-M-36573-2024****-2-**

denied signatures on these documents. One affidavit regarding compromise was produced which was allegedly witnessed by Makhan Singh and Sandeep Singh Sadihari. Regarding this matter, investigation was carried out. Jashan Preet Singh also filed a complaint against Laddi Singh alleging that Laddi Singh had agreed to sell 3 Kanal 11 Marlas of land in his favour but he was not executing sale deed. After considering stand taken by both the parties, it came into light that Laddi Singh and Jashan Preet Singh are cousins and were having cordial relations. About four years ago, Laddi Singh gave 3 Kanal 11 Marlas of land to Jashan Preet Singh on lease, whereas, Jashan Preet Singh further leased out said property to another person. On one occasion, Jashan Preet Singh had paid lease amount. Thereafter, Laddi Singh obtained loan for purchasing a car which was given to Jashan Preet Singh who in return did not pay the installments. During inquiry, it was revealed that Jashan Preet Singh in collusion with Makhan Singh prepared forged affidavit of Laddi Singh and produced the same during inquiry before Deputy Superintendent of Police (Detective), Sangrur. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that as per allegations present petitioner is only witness to one affidavit. In-fact matter in controversy is civil in nature between complainant Laddi Singh and main accused Jashan Preet Singh. He is not the beneficiary. He is ready to join the investigation.

4. On the other hand, learned counsel representing State filed detailed status report confirming aforesaid allegations. It is pointed out that Makhan Singh had affixed his signatures on fake affidavit as witness.

**CRM-M-36573-2024****-3-**

Statement of Makhan Singh was recorded before DSP (Detective), Sangrur. He played active role in preparation of said fake affidavit. Therefore, he is not entitled to anticipatory bail.

5. I have considered the arguments and have gone through the detailed status report. Facts narrated in status report indicates that matter was inquired from prospective of complaint filed by Laddi Singh as well as other complaint filed by Jashan Preet Singh. Statement of Makhan Singh was recorded before DSP (Detective), Sangrur. It shows that petitioner joined the investigation. He is still ready and willing to cooperate in investigation. Role attributed to present petitioner is that he affixed his signatures as witness on fake affidavit/writing, which was relied upon by Jashan Preet Singh.

Considering, the aforesaid factual position, no purpose would be served by sending petitioner behind the bars. Therefore, anticipatory bail petition filed by petitioner – Makhan Singh is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438(2) Cr.P.C.

6. Petition is accordingly accepted.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

17.09.2024

*lalit***(AMARJOT BHATTI)**
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No