

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.54915 of 2023
Date of decision: 13th March, 2024

Hakam Singh
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.190 dated 07.09.2023 for the offences under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Sadar Nabha, District Patiala.
2. On 08.11.2023, learned counsel for the petitioners had made the following submissions:

“Learned counsel for the petitioner contends that he has been falsely implicated in the present case solely because he happened to be one of the attesting witnesses of the Will in question. Furthermore, it has been submitted that a private handwriting expert had compared a copy of the purportedly forged Will and given his opinion, however, the original Will had not been compared at all.”

3. On 15.12.2023, while noticing the following submissions made by learned State counsel, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned State counsel, on instructions, has not disputed that the only role attributed to the petitioner is of having attested the Will in question, and further, he was not the beneficiary of the same.”

4. Learned counsel for the petitioner submits that in compliance of the order dated 15.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In the circumstances, the petition is allowed and the interim order dated 15.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

March 13, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No