



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M No.19031 of 2025
Date of decision: 13.05.2025

ASHOK NANDA**.... Petitioner**

Versus

STATE OF PUNJAB**.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Namit Gautam, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.141 dated 06.12.2022 registered under Sections 465, 467, 468, 471 and 120-B of IPC, at Police Station Shimlapuri, District Ludhiana.

2. Vide order dated 05.04.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 05.04.2025, passed by this Court, reads as under:

“The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-‘BNSS’) by the petitioner for grant of anticipatory bail in case arising out of FIR No.141 dated 06.12.2022 registered under Sections 465, 467, 468, 471 and 120-B of IPC, at Police Station Shimlapuri, District Ludhiana.



As per the allegations, Sh. Darshan Singh, father of the complainant- Kamaljit Singh @ Dara, previously used to live in Mohalla Harkrishan Nagar, Locality Lohara, Shimlapuri, Ludhiana. He had died on 17.01.2022. During his life time, he had rented out the first floor portion of his house to the accused- Sunita. A written agreement was executed between them. Taking advantage of the fact that he was living alone and with intent to grab his property, the accused Sunita had got prepared a fake certificate showing herself to be married with his father on 14.06.2021, though, his father never got married with her. Even his photograph as affixed on the marriage certificate was not genuine. Accused Sunita then filed a civil suit lodging claim on the property left by his father on the basis of a Will alleged to have been executed by the father of the complainant on 09.11.2021. He alleged that this Will is also a fake and fabricated document which was shown to be signed by the present petitioner and one Balvinder Singh as attesting witnesses. While alleging that the petitioner connived with co-accused Sunita to cheat the complainant and to cause wrongful loss to him and also committed offence of forgery, he prayed for taking action in the matter. On the basis of this complaint, the aforementioned FIR was registered. Investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of pre arrest bail which had been



dismissed by the Court of Additional Sessions Judge, Ludhiana vide order dated 17.03.2025.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, he never attested any Will, the impugned Will does not carry his signatures and the same are forged and fabricated. The accused Sunita has entered into a compromise with the complainant and she has undertaken to not to claim any right on the basis of alleged Will. She has even withdrawn the suit filed by her. The petitioner is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. He is also ready to give his specimen signatures for the purpose of comparison thereof with the signatures on the disputed Will. Accordingly, it is urged that he deserves to be given benefit of pre arrest bail.

Notice of motion.

On asking of the Court, Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab accepts notice on behalf of the respondent-State and seeks time to file status report.

Adjourned to 13.05.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under



Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

It would, however, be open to the learned State counsel to file a reply indicating the involvement of the petitioner and all aspects would be considered at the time of final adjudication of the matter.

The petitioner shall, however, give his specimen signatures to the Investigating Officer after moving of appropriate application by the Investigating Officer before the jurisdictional Magistrate to obtain the same for the purpose of comparison of the same with the signatures on the disputed Will.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 15.01.2025 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 22.04.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

13.05.2025

Jyoti-IV

(MANISHA BATRA)

JUDGE

Whether speaking/reasoned:	Yes/No.
Whether reportable :	Yes/No