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

CRM-M-58415-2025

Decided on: 23.03.2026

Harphool Singh @ Harphool Singh Gill

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Navjot Singh, Advocate, for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Mr. Ambanshu Sahni, Advocate, for the complainant.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.145 dated 17.09.2025, registered under Sections 419, 420, 465, 466, 467, 471, 120-B IPC, at Police Station Ramdas, District Amritsar Rural.

2. Succinctly, facts of the case are that in the present case, a complaint was filed by the complainant, Iqbal Kaur. It was alleged that in order to grab her ancestral land, Gurdial Singh and Sarwan Singh in connivance with other co-accused i.e. Clerk, Tehsildar, Computer Operator etc. forged the documents and prepared a fake will on 20.07.2021. Inquiry was conducted by SDM, Ajnala, who found that husband of Daljit Kaur adopted the husband of the complainant and bequeathed his estate in favour of the husband of the complainant in the year 1978. Accused Gurdial Singh in order to grab the property, filed a false civil suit on the basis of forged Power of Attorney and Will. Both the documents were bearing the same



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photographs of the witnesses despite the fact that documents were registered on different dates. As per the opinion given by FSL, these photographs are the same. As per the enquiry report, Daljit Kaur had herself visited office of Sub-Registrar on 02.07.2021 for getting registered power of attorney but she did not visit said office on the date on which the Will was allegedly executed and registered. The false Will was created using the photograph taken at the time of registration of power of attorney and in the creation of said document, present petitioner i.e. Harphool Singh @ Harphool Singh Gill, who was the then Sub-Registrar/Tehsildar alongwith other co-accused, was found to be involved. On the basis of the complaint moved by the complainant, the present FIR was registered. On the registration of the FIR, investigation commenced. Apprehending arrest, the petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of anticipatory bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 04.10.2025. Hence, the petitioner has approached this Court praying for grant of anticipatory bail by way of filing the present petition

3. It has been vehemently contended by learned counsel for the petitioner that neither the petitioner is beneficiary nor he has any concern with the land in question. However, the petitioner has been falsely implicated in the present case. He submitted that while the initial complaint alleged both the Power of Attorney and the Will to be forged, however, the complainant later admitted the Power of attorney as genuine and claimed only the Will to be forged. He has submitted that the dispute involved in the



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present petition is purely of civil nature, where civil suit was filed against Iqbal Kaur (complainant) and her son. He submits that the present FIR was lodged after 2½ years of the retirement of the petitioner. He has submitted that the petitioner is 82% disable person, who has already been wrongly convicted in one more FIR. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted anticipatory bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. She has submitted that the petitioner being the then Sub-Registrar in connivance with the other co-accused misused his position by helping the other co-accused in creating forged Will by taking a same photograph of Daljit Kaur, clicked at the time of executing a Power of Attorney on 02.07.2021 and created a forged Will. She has placed on record the report dated 20.03.2026 of Fingerprint & Handwriting Expert and Forensic Science Consultant and has submitted that signature of the petitioner was found to be matched with the signature on the forged documents. She has also submitted that that the petitioner has already been convicted in one more FIR. She, thus, prays for dismissal of the present petitioner.

5. Learned counsel for the complainant has also vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner in convince with the co-accused prepared a forged Will. He, thus, also prays for dismissal of the present petition.

6. Heard learned counsel for the parties and perused the record. It emerges from the material placed on record that serious allegations have



been levelled against the petitioner, who, while holding the post of Sub-Registrar, is alleged to have acted in connivance with the co-accused and misused his official position to facilitate the preparation and registration of a forged Will. The investigation, at this stage, indicates that the Will in question was created by using the same photograph that had been taken at the time of execution of the power of attorney, and the petitioner's signatures have been found to match those appearing on the disputed documents. The allegations, thus, *prima facie* disclose active involvement of the petitioner in manipulation of official records. The contention of the petitioner that the dispute is purely civil in nature cannot be accepted in view of the specific allegations of forgery and fabrication of documents involving public office. Moreover, the petitioner has already been convicted in FIR No. 108 of 2011 registered at Police Station Fatehgarh Sahib, which was likewise based on similar allegations. Considering the gravity of the allegations, the manner in which the offence is stated to have been committed, and the requirement of custodial interrogation, this Court does not find it to be a fit case for grant of anticipatory bail.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

482“Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*



2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section."*

8. Hon'ble Supreme Court in **State represented by CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

"6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under [Section 438](#) if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of



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disintering offences would not conduct themselves as offenders.”

9. Hon’ble Apex Court in plethora of judicial precedents including Gurbaksh Singh Sibbia Vs. State of Punjab, AIR 1980 SC 1632, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

11. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in her favour. Resultantly, the petition being devoid of any merit is hereby dismissed.

12. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

23.03.2026
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No