

**In the court of Sardar Harjeet Singh, Additional Sessions Judge,  
Moga. (UID No.PB0131)**

BA No.360 dated 09.12.2022  
CIS No.BA/2776/2022  
CNR No.PBMO010073622022  
Date of Order:- 21.12.2022

Balvir Singh son of Hakam Singh resident of village Rau Ke Kalan, Tehsil  
Nihal Singh Wala, District Moga.

....Accused/Applicant

Versus

State of Punjab

FIR No.129 dated 15.11.2022,  
U/ss 419, 420, 465, 468, 471, 120-B IPC,  
P.S. Badhni Kalan.

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Bail Application under Section 438 Cr.PC.

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Present: Sh. Vinod Sharma Advocate for applicant/accused  
Sh. Kuldeep Sahni Addl.PP for the State assisted by Sh.Ajaypal  
Singh Bhullar, Advocate for the complainant

**ORDER**

Vide this order, I intend to dispose of bail application under  
Section 438 Cr.P.C filed by applicant-accused in the FIR mentioned above.

Police record was summoned and received.

Learned counsel for accused/applicant has argued that accused/  
applicant has been falsely implicated in the case in hand. The  
accused/applicant has not committed any offence. The alleged crime was  
committed by Pargat Singh son of Surjit Singh and Lakhwinder Kaur  
(daughter in law of Surjit Singh) wife of Pargat Singh. Moreover, when the  
applicant came to know about the alleged forgery, he has already moved an  
application to SSP, Moga against the said persons. The complainant has

moved so many false applications against the accused/applicant and his family members. The accused/applicant is ready to join the investigation. His custodial interrogation is not required and prayed that accused be granted anticipatory bail.

On the other hand, learned Addl.PP for State assisted by learned counsel for the complainant argued that serious allegations have been levelled against the accused/applicant that he in connivance with other co-accused has committed the fraud with the complainant, as such, his custodial interrogation is very much required. It is not a fit case, where concession of anticipatory bail can be given to accused/applicant. Lastly, he prayed that bail application be dismissed.

I have considered the submissions of learned Counsel for the applicant/accused and learned Addl. PP for the State.

Perusal of record shows that present FIR was registered on the application moved by complainant Bhag Singh to SSP, Moga by stating that accused persons in connivance with each other has prepared forged Aadhar Card of Surjit Singh after affixing the photographs of Balvir Singh and entered into an agreement to mortgage of 3 kills of land after receiving ₹ 15,50,000/- from him. Actually, the original owner of the land namely Surjit Singh has disclosed him that he has not mortgaged the land in question to anybody, rather earlier accused persons had also mortgaged his land to his relative of village Lapon. During investigation, it was found that Bhag Singh wants to purchase the land for cultivating purpose and he was told by his cousin Kuldeep Singh son of Jarnail Singh, who is residing in his in-laws house at village Rauke Kalan for the last 12 years that he is cultivating the land of

Surjit Singh on rent and Surjit Singh is in need of money in order to send his son abroad. Believing Kuldeep Singh, Bhag Singh agreed to purchase the land in question. On 09.03.2022, Kuldeep Singh has executed an agreement to sell in the presence of Chamkaur Singh & Ram Singh Numberdar in favour of Amarjit Kaur and received ₹ 9,50,000/- from him and also agreed to execute the sale deed on or before 08.03.2025. Kuldeep Singh again demanded more money and Bhag Singh gave ₹ 6 lacs on 18.05.2022 and another fresh agreement was executed in favour of Bhag Singh. Thereafter, Bhag Singh came to know that Kuldeep Singh without the consent of original owner Surjit Singh produced Balvir Singh, who impersonating himself as Surjit Singh executed agreement in question.

Serious allegations have been levelled against the accused/ applicant that he himself impersonating as Surjit Singh prepared the forged document after affixing his photographs. So, keeping in view the gravity of offence alleged to have been committed by applicant-accused and seriousness of the allegations, it is not a fit case where concession of anticipatory bail can be granted to the applicant-accused, rather his custodial interrogation is required. Accordingly, bail application is hereby dismissed. Police record be returned. File be consigned to the Record Room.

Pronounced.  
21.12.2022.  
(Sunny Stenographer II)

(Harjeet Singh)  
Additional Sessions Judge,  
Moga. (UID No.PB0131)

Present: Sh. Vinod Sharma Advocate for applicant/accused  
Sh. Kuldeep Sahni Addl.PP for the State assisted by Sh.Ajaypal  
Singh Bhullar, Advocate for the complainant

Police file received. Arguments heard. Vide my separate order of  
even date, the present bail application stands dismissed. Police record be  
returned. File be consigned to the Record Room.

Pronounced.  
21.12.2022.  
(Sunny Stenographer II)

(Harjeet Singh)  
Additional Sessions Judge,  
Moga. (**UID No.PB0131**)