

Jaswant Behl vs. State of HP & ors.

Cr. MMO No. 781 of 2026

Reserved on: 27.7.2026

30.7.2026 Present: Ms. Chehak Bhalla, Advocate, for the petitioner.

Mr. Jitender Sharma, Additional Advocate General for respondents No.1 and 2-State.

Cr. MMO No. 781 of 2026

As per the FIR, the Sale Deed was executed on behalf of the informant based on a revoked Power of Attorney.

Prima facie, it is doubtful that an offence would be committed by using a revoked Power of Attorney¹. Further, the execution of a Sale Deed by a person not authorised to do so, *prima facie*, does not constitute an offence of forgery.²

The present petitioner is not a party to the Sale Deed, and it is *prima facie* doubtful that he can be held liable for the offence of forgery.³ Therefore, the petitioner has a *prima facie* arguable case in his favour.

Issue notice to respondent No.3, returnable within four weeks on taking steps within one week.

¹ Lance Irwin Lobo vs. Ismail D'Souza and Ors. (24.01.2007 – BOMHC): MANU/MH/0030/2007

² Mohmmad Ibrahim & ors. Vs. State of Bihar & anr. (2009) 8 SCC 751

³ Sheela Sebastian Vs. R. Jawaharaj & anr. (2018 7 SCC 581)

Cr. MP No. 3087 of 2026

Notice in the aforesaid terms.

The applicant has filed an application seeking the stay of investigation. Prima facie, such an order cannot be passed by the Court.⁴⁵

Therefore, no interim order of staying the investigation can be passed by this Court at this stage.

(Rakesh Kainthla)
Judge

30th July, 2026
(Chander)

⁴ AP Mahesh Cooperative Urban Bank Shareholders Welfare Association Versus Ramesh Kumar Bung and others, 2021 (9) SCC 152

⁵ Siddharth Mukesh Bhandari v. State of Gujarat, (2022) 10 SCC 525: (2023) 1 SCC (Cri) 384: 2022 SCC OnLine SC 952