

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24716 of 2014
Date of decision: March 04, 2015

Surinder Kaur & another

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.S. Ranghi, Advocate
for the petitioners.

Mr. Jaspreet Singh Sekhon, AAG, Punjab.

Mr. Sanjeev Pandit, Advocate with
Mr. B.K. Saini, Advocate
for the complainant.

Jaspal Singh, J.(Oral)

Prayer in this petition is for the grant of anticipatory bail in case bearing FIR No. 130 dated 02.07.2014, under Sections 406, 420 and 120-B IPC, registered at Police Station City Ropar, District Ropar.

The only allegation against the present petitioners are that they are attesting witnesses of agreement of sale dated September 16, 2011 executed by Darshan Singh husband of petitioner No.1 and father of petitioner No.2 vide which Darshan Singh agreed to sell his land in favour of complainant on receipt of a sum of ₹10,00,000/- as earnest money. Subsequently, he received an additional amount of ₹80,00,000/-, which was deposited in his bank account. Since the petitioners are only the attesting witnesses of agreement of sale, they have nothing to do with the amount received as earnest money allegedly by Darshan Singh. Even otherwise both the petitioners have also joined the investigation on July 31, 2014 in compliance of order dated July 24, 2014 passed by this Court and further their custodial interrogation is not required.

the fact that petitioners are only attesting witnesses of agreement of sale dated Septmber 16, 2011 the instant petition is allowed and order dated July 24, 2014 is hereby, made absolute. However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

March 04, 2015
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(JASPAL SINGH)
JUDGE