

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2990-2015

Date of decision: 19.03.2015

Balwant Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. PS Hundal, Senior Advocate with
Mr. Dinesh Trehan, Advocate for the petitioner.

Mr. Gazi Mohd., DAG, Punjab.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 5 dated 27.12.2014 registered under Sections 420/465/468/471/379/120-B of the Indian Penal Code (IPC) at Police Station NRI, District Ferozepur.

When this case was listed on 09.02.2015, following order was passed:-

“Learned counsel for the petitioner states that the petitioner had purchased the land from Harjit Singh who was power of attorney holder of real owner Gurdeep Singh-father of complainant. Gurdeep Singh died in May, 2008. Now the complainant is claiming

that agreement is forged and anti-dated. A civil suit for specific performance was also filed and learned counsel for the petitioner had withdrawn the said suit. Now the petitioner has nothing to do. Let, the petitioner be directed to join the investigation and disclose all the facts to the police. In the event of his arrest, he will be released on interim bail to the satisfaction of arresting officer subject to the such conditions as contained in Section 438 (2) Cr.P.C.”

On instructions from ASI Gurmej Singh, learned State counsel submits that the petitioner joined investigation on 16.3.2015 and he is no more required for further interrogation. However, it is submitted that during investigation it was found that agreement in question was antedated.

Learned counsel for the petitioner submits that a civil suit with regard to the disputed land based on agreement to sell is pending since 2009 and the present FIR was registered in the year 2014. It is further submitted that even the application for grant of *ad interim* injunction was disposed of on 8.3.2010.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioner vide order dated 09.02.2015 is made absolute and the petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.

March 19, 2015
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(R.P. NAGRATH)
JUDGE