

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32692-2015 (O&M).

Decided on: November 17, 2015.

Mamta Kapoor and another.

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

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CORAM:

HON'BLE MR.JUSTICE M.M.S.BEDI

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PRESENT

Mr.Vishal Aggarwal, Advocate, for the petitioners.

Mr.Gazi Mohammad, DAG., Punjab.

Mr.L.M.Gulati, Advocate, for the complainant.

M.M.S. BEDI, J. (ORAL)

Petitioners seek concession of pre-arrest bail in a case registered at the instance of complainant Raj Kumar alleging that on 2.6.1998 on the basis of agreement of sale, the sale deed was to be executed but on account of Tehsildar being not available, the sale deed could not be registered. Petitioner No.2 who is the real brother of the complainant had sold the property in dispute to petitioner No.1 his wife. The FIR has been registered in the year 2015 on the allegations that the sale deed has been fraudulently got executed in 1998. The dispute appears to be amongst family members. The complainant is real brother of petitioner No.2. Petitioner No.1 is sister in law of the complainant. The FIR has been registered on the basis of a complaint under Section 156 (3) Cr.P.C.

Taking into consideration the nature of the allegations, it does not appear to be a case of custodial interrogation. The petitioners have already joined investigation.

The petition is allowed. It is ordered that in case of arrest of the petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the conditions that the petitioners will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner.

Nothing mentioned in this order will prejudice the rights of the complainant to recover any amount allegedly due to him in accordance with law.

(M.M.S. BEDI)
JUDGE

November 17, 2015.
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