

In the High Court of Punjab and Haryana at Chandigarh

1. Crl. Misc. No. M-42727 of 2014
Date of Decision: 24.02.2015.

Nachhattar SinghPetitioner

Versus

State of PunjabRespondent

2. Crl. Misc. No. M-41829 of 2014

Harjinder PalPetitioner

Versus

State of PunjabRespondent

3. Crl. Misc. No. M-1438 of 2015

Amarjit Singh and anotherPetitioners

Versus

State of PunjabRespondent

4. Crl. Misc. No. M-1634 of 2015

Garish KumarPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. G.S.Bhatia, Advocate
for the petitioners.
(In CRM-M Nos. 42727 of 2014, 41829 of 2014 and
1438 of 2015)

Mr. K.D.S.Sodhi, Advocate
for the petitioner.
(In CRM-M No. 1634 of 2015).

Mr. V.P.S.Sidhu, AAG, Punjab.

Mr. Sandeep K. Sharma, Advocate
for the complainant.

SABINA, J.

Vide this order, above mentioned four petitions would be disposed of as the petitioners have sought anticipatory bail in FIR No. 183 dated 14.10.2014 under Section 419, 420, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Navi Baradari, Jalandhar.

Learned State counsel, on instructions from Sub Inspector Vir Singh, has submitted that petitioners have joined investigation after the grant of interim bail by this Court.

Learned counsel for the petitioners have submitted that in fact, Ishwar Dutt was the owner of the property in question and the same was inherited by his three sons namely Om Parkash (father of the complainant), Ram Lubhaya and Ram Parkash. Ram Parkash filed a suit for possession by way of partition as Om Parkash was in exclusive possession of the property in question. The suit filed by Ram Parkash was decreed in the year 1999 vide Annexure P-4. Appeal filed against the said decision of the Trial Court, was dismissed by the Appellate Court vide judgment/decreed dated 7.1.2002 (Annexure P-5) and the said decision had gained finality. Ram Parkash had executed a power of attorney in favour of his brother Ram Lubhaya qua his share. After the death of Ram Lubhaya, his sons became

owners qua his share. Sons of Ram Lubhaya executed the agreement to sell in favour of petitioner Nachattar Singh. Petitioner Garish Kumar is the son of Ram Lubhaya who had executed the sale deed in favour of Nachhattar Singh qua his share whereas petitioners Amarjit Singh and Manjit Singh had attested the said document. Harjinder Pal petitioner had drafted the sale deed. Nachhattar Singh has already filed suit for specific performance of agreement to sell. Complaint in question has been filed by the son of Om Parkash, although, the agreement to sell in question, executed by the sons of Ram Lubhaya, does not relate to the share of Om Parkash.

Keeping in view the submissions made by learned counsel for the petitioners as well as the fact that the petitioners have joined investigation, interim bail granted by this Court to the petitioners, is made absolute.

All the petitions stand disposed of accordingly.

(SABINA)
JUDGE

February 24, 2015
Gurpreet