

CRM-M-43942-2014 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-43942-2014 (O&M).
Decided on: February 27, 2015.**

Sukhraj Inderjit Singh and another

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

*** * ***

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

**PRESENT Mr.Vipin Mahajan, Advocate,
for the petitioners.**

Mr.C.S.Brar, DAG., Punjab.

**Mr.Ritesh Pandey, 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 Lovely alleging that the petitioners had damaged the crop by entering the land belonging to the complainant's husband.

Counsel for the complainant has vehemently contended that the petitioners have made an attempt to destroy the crop and take possession as such, they should not be granted the concession of pre-arrest bail.

I have considered the facts and circumstances of the case. With the assistance of the State counsel, I have also gone through the record.

The allegations in the FIR appear to be vague and

CRM-M-43942-2014 (O&M)

uncertain. The petitioners having joined investigation, it does not appear to be a case of custodial interrogation. It will be debatable during the course of trial whether the specific khasra numbers are in actual physical possession of the complainant regarding which the allegation of damage to the crop of the complainant has been raised.

State counsel, on the instructions of ASI Ashok Kumar, informs that the petitioners have joined investigation.

In view of above circumstances, this petition is allowed. Interim order dated 23.12.2014 is hereby made absolute subject to all the conditions under Section 438 (2) Cr.P.C.

February 27, 2015.
rka

(M.M.S. BEDI)
JUDGE