

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

CRM-M -12210 of 2015 (O&M)
Date of decision: 11.08.2016

Kuldeep Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Bhinder, Advocate for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Darshan Singh.

Mr. H.S. Aujla, Advocate for
Mr. G.S. Chahal, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in case FIR No.40, dated 03.04.2015, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Dirba, District Sangrur.

Status report filed in the Court is taken on record.

On 27.04.2015, this Court had passed the following order:-

“Counsel contends that even as per version of the complainant, namely, Sant Kaur, allegations have been

raised against the non applicants herein with regard to preparing a fake Will shown to be executed by the complainant's deceased husband, Chhota Singh and thereafter having got the inheritance mutation sanctioned. It is argued that the names of the present petitioners did not even figure in the FIR and they are being sought to be implicated during the course of police investigation. Counsel has further argued that the dispute if any is of a civil nature and in this regard has even adverted to a document placed on record at Annexure P-6 which is a civil suit instituted by the complainant as also her daughters against the accused in relation to the same very land.

Notice of motion, returnable 20.07.2015.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 27.04.2015, the petitioners have has joined the investigation.

The learned State counsel, on instructions, submits that the petitioners have joined the investigation and they are not required for custodial interrogation. The cancellation report in the matter has been prepared and the report of the District Attorney has been sought on the same.

In view of the above, without expressing any opinion on

the merits of the case, the interim bail granted by this Court vide order dated 27.04.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

11.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No