

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-15101 of 2016

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Date of decision:9.8.2016

Ranbir Singh and others

.....Petitioners

v.

State of Punjab

.....Respondent

....

(2) Criminal Misc. No.M-15112 of 2016

.....

Sukhdev Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. S.K. Arora, Advocate for the petitioners in Cr. Misc. No.M-15101 of 2016.

Mr. R.K. Girdhar, Advocate for the petitioner in Cr. Misc. No.M-15112 of 2016.

Ms. Shivali, Assistant Advocate General, Punjab for the respondent-State.

Mr. Ashok Kumar Sama, Advocate for the complainant.

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Inderjit Singh, J.

This order will dispose of the above mentioned two criminal miscellaneous petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.38 dated 30.3.2016 registered for the

offences under Sections 420 and 120-B IPC at Police Station Sadar Jalalabad, District Fazilka.

Notice of motion has been issued in these cases.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Ashok Kumar Sama, learned Advocate appeared for the complainant and contested these petitions.

I have heard learned counsel for the petitioners, learned Assistant Advocate General, Punjab appearing for the respondent-State and learned counsel for the complainant and have gone through the record.

The petitioners have already joined the investigation. They are no more required for custodial interrogation. The FIR has been registered at the instance of Jagdeep Singh. As per the allegations a sum of ₹76 Lacs as earnest money had been entrusted to the petitioner Sukhdev Singh in pursuance to agreement to sell dated 13.5.2015 in respect of 80 Kanals of land and the sale deed was to be executed on 15.12.2015. As per the case of the prosecution, neither sale deed has been executed nor the amount of earnest money has been returned.

Keeping in view the facts and circumstances of the present cases and the fact that the cases are based on documentary evidence and neither the petitioners are required for custodial interrogation nor anything is to be recovered from them, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present

cases; without discussing the facts in minute detail and without expressing any opinion on the merits of the cases, I find merit in these petitions and the same are allowed. The interim orders dated 4.5.2016 passed by this Court granting interim bail to the petitioners are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 9, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No