

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

**C.R.M-M No.16796 of 2016
Date of Decision : 08.08.2016**

Jaspreet Singh @ Jassa and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. P.S.Dhaliwal, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

Mr. R.S.Bains, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

On 16.05.2016 the following order was passed:-

*“Prayer is for grant of anticipatory bail on behalf of
accused petitioners Jaspreet Singh @ Jassa and Manpreet
Singh @ Manna in case FIR No.35 dated 26.4.2016 under
Sections 306,452,506,148,149 IPC, PS Barnala,
Distt.Barnala.*

As per allegations levelled by Darshan Singh-complainant, who is President of Punjab Kisan Union, the accused party comprising of Decree Holder Baljit Singh, his co-accused father Teja Singh and coaccused Baljit Singh son of Gurcharan Singh and present two accused, who are relatives of DH Baljit Singh, had threatened to take possession of two acres of land with residential house of the legal heirs of JD leading the said LRs i.e. Baljit Singh and @ Ballu and his mother Balbir Kaur to commit suicide by consuming poison.

It is contended that both the petitioners are neither beneficiaries of the decree nor are residents of the village of the deceased party, nor they were present at the village. Their names have been roped in merely because they are relatives of DH. That apart, no offence under Section 306 IPC would be made out as lawful possession was being taken through the process of law. It is next submitted that DH Baljit Singh and two other co-accused have since been arrested.

Notice of motion for 8.8.2016.

In the event of arrest, the petitioners shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioners shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

Learned counsel for the complainant has however vehemently opposed the prayer for anticipatory bail to the petitioners.

Learned Additional Advocate General, on instructions from ASI Naib Singh accepts the fact that the petitioners have joined the investigation and are no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioners.

Resultantly, the petition is allowed. The interim order dated 16.05.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(**AJAY TEWARI**)
JUDGE

08.08.2016

Pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No