

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

(1) CRM No.M-19700 of 2016 (O&M)

Surinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

(2) CRM No.M-19723 of 2016 (O&M)

Rajveer Kaur

...Petitioner

Versus

State of Punjab

...Respondent

Date of Decision: September 14, 2016

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sunil Agnihotri, Advocate
for the petitioners.

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

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together being
arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.73 dated 20.05.2015 under
Section 420 IPC registered at Police Station Mukerian, District Hoshiarpur.

Notice of motion was issued in both the cases. Learned State

counsel appeared and contested the petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

From the record, I find that FIR has been registered on the basis of complaint moved by Fulia Rani against Surinder Kaur and Rajveer Kaur. As per the FIR, an agreement to sell dated 06.05.2013 was executed by the complainant with Rajveer Kaur regarding 4 kanals 5 marlas land and earnest money of ₹3,27,000/- was given. Another agreement to sell dated 03.08.2012 regarding 4 kanals 4 marlas land was executed by the complainant with petitioner Surinder Kaur and ₹7,86,000/- was given as earnest money. As per the FIR, both Surinder Kaur and Rajveer Kaur are real sisters. They have not executed the sale deed. Both of them executed affidavits that they will execute the sale deed but they did not execute.

At the time of arguments, learned counsel for the petitioners argued that a family dispute arose between the petitioners on one side and their sister Davinder Kaur on the other side, who is stated to be owner of the total property, which was earlier owned by their father and it being the ancestral property, the present petitioners were also owner.

The present petitioners have already joined the investigation. They are not required for investigation or interrogation purposes. The case is mainly based on documentary evidence. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where

petitioners are entitled to benefit of grant of anticipatory bail. Therefore,

both the petitions are accepted and the orders dated 01.06.2016 granting interim bail to the petitioners are made absolute.

September 14, 2016
Vgulati

Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

Yes
No