

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

CRM-M-21097-2016 (O&M)

Date of decision : 08.09.2016

Poonam Sehgal and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vishal Aggarwal, Advocate for the petitioners.

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

Mr. Abinashi Singh, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

CRM-27989-2016

Allowed as prayed for, subject to all just exceptions.

Main case

The petitioners seek pre-arrest bail in case FIR No.90 dated 13.05.2016, registered under Sections 420, 465, 467, 471, 120-B and 177 of the Indian Penal Code, at Police Station Shimlapuri, Ludhiana.

Heard.

On 14.06.2016, the following order was passed:-

“Learned counsel for the petitioners submits that in the property in question, which was sold, the complainant Vijay Kiran Sehgal could have no interest in view of the fact that his father Kiran Kumar Sehgal had signed a retirement deed from the partnership firm to whom the property had been allotted, vide retirement deed dated 31.03.1988 (Annexure P-2).

Notice of motion returnable on 08.07.2016.

In the aforesaid circumstance, in case of arrest of the petitioner, subject to his joining investigation and complying with other conditions stipulated in Section 438(2), Cr.P.C., he would be immediately released on bail, on his furnishing adequate bail and surety bonds, to the satisfaction of the arresting officer/Ilaqa Magistrate.”

Learned counsel for the petitioners submits that a civil suit with regard to the property in question is pending adjudication before the competent Court at Ludhiana. The petitioners are ready and willing for redistribution of the shares as per the claim of the parties. The petitioners have already joined the investigation.

Learned counsel for the complainant submits that the permission to sell had been obtained from the competent authority by submitting forged documents.

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioners have joined the investigation and they are not required for custodial interrogation.

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 14.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

08.09.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

ATUL SETHI
2016.09.08 17:47
I attest to the accuracy and
authenticity of this document
Chandigarh

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