

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

CRM-M-21749-2016 (O&M)

Date of decision : 08.09.2016

Kuldeep 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)

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 24.06.2016, the following order was passed:-

“Learned counsel for the petitioners submits that the matter in dispute is purely civil in nature and qua the property in dispute a civil suit between the parties is already pending. Co-accused of the present petitioners namely Poonam Sehgal and Pardeep Sehgal have already been granted the benefit of pre arrest bail by this Court vide order dated 14.6.2016 passed in CRM-M-21097 of 2016 which is now fixed for 8.7.2016.

Notice of motion.

At the asking of the Court, Mr. Deepak Garg, Assistant Advocate General, Punjab, accepts notice on behalf

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of the respondent-State.

Adjourned to 8.7.2016.

To be heard along with CRM-M-21097 of 2016.

In the meanwhile, petitioners are directed to join investigation in this case within seven days from today and in that event, the petitioners be admitted to bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of Investigating Officer / Station House Officer concerned. The petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Learned counsel for the petitioners is directed to supply copy of the petition to the learned State counsel during the course of the day.”

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 24.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate

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concerned.

The petition stands allowed.

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(JITENDRA CHAUHAN)
JUDGE

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