

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

**CRM No.M-22090 of 2016 (O&M)
Date of Decision: November 22, 2016**

Rupinder Kaur Jatauli and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Anil Kshetarpal, Senior Advocate with
Mr.Gunjan Rishi, Advocate
for the petitioner.

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

Mr.Mansur Ali, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.220 dated 13.10.2014 under
Sections 420, 409, 465, 467, 468, 471, 167 and 120-B IPC, registered at
Police Station Sohana, District Mohali.

Notice of motion was issued and learned State counsel as well
as learned counsel for the complainant appeared and contested the petition.

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

From the record, I find that the main allegations are against

Jaswinder Singh, XEN that he with the help of his nephew Kunwardeep Singh and Balkar Singh, has committed irregularities and illegalities in construction of the flats. It is in the FIR itself that Victor Singh and Ramla Goyal had informed the proprietor namely M/s S.S.Builders regarding the irregularities and illegalities committed by other co-accused.

The perusal of the record shows that except Kunwardeep Singh, there are no serious allegations against other co-accused. Petitioner Rupinder Kaur Jatauli is even not named in the FIR.

As regarding petitioner Kunwardeep Singh, serious allegations have been levelled that he connived with the main accused Jaswinder Singh. In view of the serious allegations against petitioner Kunwardeep Singh, I do not find it a fit case where he is entitled to benefit of anticipatory bail. Therefore, finding no merit in the present petition qua Kunwardeep Singh, the same is dismissed.

As regarding other petitioners namely Rupinder Kaur Jatauli, Ramla Goyal, Victor Singh, Bhupinder Singh and Sukhdev Singh, I find that they are not the main accused nor there are specific allegations regarding embezzlement etc. They are not required for investigation or interrogation purposes. No useful purpose will be served by sending the petitioners to custody.

Therefore, finding merit in the present petition, the same is allowed qua above-said petitioners. It is ordered that in the event of arrest, the petitioners namely Rupinder Kaur Jatauli, Ramla Goyal, Victor Singh, Bhupinder Singh and Sukhdev Singh be released on anticipatory bail subject to their furnishing personal bonds and surety to the satisfaction of

investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

November 22, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No