

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

(i) Criminal Misc.No.M-23101 of 2016 (O&M)
Date of decision: 28th July, 2016

Balwinder Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

(ii) Criminal Misc.No.M-23129 of 2016 (O&M)

Nirmal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sant Pal Singh, Advocate,
for the petitioners in Criminal Misc.No.M-23101 of 2016.

Mr. A.D.S.Sukhija, Advocate,
for the petitioner in Criminal Misc.No.M-23129 of 2016.

Ms. Shivali, AAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

This order shall dispose of Criminal Misc.No.M-23101 of 2016, filed by petitioners Balwinder Singh and Gurminder Singh and Criminal Misc.No.M-23129 of 2016, filed by petitioner Nirmal Singh, under Section 438 Cr.P.C., for grant of anticipatory bail in case FIR No.68 dated 01.06.2016, registered at Police Station Amlloh, District Fatehgarh Sahib, under Sections 406, 420, 467, 468, 471, 120-B IPC.

Notice of motion was issued. Learned State counsel appeared and contested the instant petitions.

As per prosecution version, the FIR has been got registered by Ramandeep Kaur, wife of Didar Singh, alleging that her husband had taken

loan from the finance company and the same has been returned back. It is further stated that at the time of granting loan, some documents were got signed from her husband and now she apprehends that these documents will be used to grab the property.

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

At the time of arguments, learned counsel for the petitioners contended that suit for specific performance has already been filed and the said fact has been concealed in the FIR.

Keeping in view the facts and circumstances of the case, this Court finds that the case is based on documentary evidence. The petitioners are not required for custodial interrogation. Nothing is to be recovered from them. No useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, the instant petitions stand accepted and it is ordered that in the event of arrest, the petitioners be released on bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

28th July, 2016
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(INDERJIT SINGH)
JUDGE

Whether Speaking/reasoned

Yes

Whether reportable

No