

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

(1) CRM No.M-25343 of 2016 (O&M)

Swaran Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

(2) CRM No.M-28980 of 2016 (O&M)

Krishan Lal Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

Date of Decision: November 11, 2016

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.J.S.Thind, Advocate
for the petitioner (in CRM No.M-25343 of 2016).

Mr.R.K.Bhatia, Advocate
for the petitioner (in CRM No.M-28980 of 2016).

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

Mr.R.K.Girdhar, Advocate
for respondent No.2.

INDERJIT SINGH, J.

Petitioners have filed these petitions under Section 438 Cr.P.C.

for grant of anticipatory bail in case FIR No.20 dated 19.03.2015 under

Sections 467, 468, 471 and 420 IPC, registered at Police Station Bariwala, District Sri Muktsar Sahib.

Notice of motion was issued and learned State counsel as well as learned counsel for respondent No.2 appeared and contested the petitions.

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 in the present case, as per the allegations, ₹5 lacs was given to Krishan Lal Sharma and Swaran Singh as earnest money to purchase the property. It is argued by learned counsel for respondent No.2 that the property was not owned by these petitioners but was owned by Chanan Singh, who has sold the same to some other person.

I have perused the receipt regarding ₹5 lacs. In the receipt, it is clearly written that property is owned by Chanan Singh and the petitioners will get the sale deed executed.

Petitioner Swaran Singh has already joined the investigation in view of the order dated 27.08.2016. He is not required investigation or interrogation purposes. The case is based on documentary evidence. No useful purpose will be served by sending the petitioner to custody.

Therefore, finding merit in CRM No.M-25343 of 2016, the same is allowed. The order dated 27.08.2016 granting interim bail to petitioner Swaran Singh is made absolute.

As regarding the petition filed by petitioner Krishan Lal Sharma, i.e. CRM No.M-28980 of 2016, the same is also allowed. It is ordered that in the event of arrest, petitioner Krishan Lal Sharma be released on anticipatory bail subject to his furnishing personal bonds and surety to

the satisfaction of Arresting/Investigating Officer. However, the petitioner

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. and will not tamper with the evidence.

November 11, 2016	(INDERJIT SINGH)
Vgulati	JUDGE
Whether speaking/reasoned	Yes
Whether reportable	No