

CRM M-27852 of 2016

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

**CRM M-27852 of 2016
DATE OF DECISION: October 6, 2016**

Krishan Kumar and others

.....Petitioners

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MR.JUSTICE M.M.S. BEDI

Present : Mr. J.K.Sehrawat, Advocate
for the petitioners.

Mr. Vikas Malik, DAG, Haryana.

M.M.S. BEDI, J. (ORAL)

The petitioners seek the concession of pre-arrest bail in a case registered at the instance of Subhash Chander alleging that the complainant along with Laxmi, Mann Kaur etc., are joint owners of land measuring 352 kanals 19 marlas. The allegation against the petitioners is that they connived with each other and got civil suit filed and obtained a fake decree to the effect that they are owners of the property. Said decree was obtained in the absence of the complainant. Co-owners Laxmi, Mann Kaur etc., were impersonated.

On the asking of the Court, counsel for the petitioners informs that the decree has been challenged and the mutation, which was entered on the basis of decree is not finalized. Since the dispute pertains to a property, which is to be settled by the civil Court, on account of litigation pending before the revenue authorities, it does not appear appropriate that custodial

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interrogation of the petitioners is required.

As per statement of ASI Dharam Pal, the petitioners have already joined the investigation. Without prejudice to the rights of the complainant to seek the order of Lok Adalat getting set aside on the ground of having been obtained by fraud, this petition is allowed. It is ordered that in case of arrest of the petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the conditions that the petitioners will join investigation as and when required and will not tamper with the evidence or hamper the investigation in any manner.

October 6, 2016
amit rana

(M.M.S. BEDI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No