

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

CRM-M-2855-2016 (O&M)

Date of decision : 08.09.2016

Harpal Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Imraan Farooqi, Advocate,  
for Mr. Rajeev K. Kapila, Advocate,  
for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab,  
assisted by ASI Gurmeet Singh.

**JITENDRA CHAUHAN, J. (Oral)**

The petitioners seek pre-arrest bail in case FIR No.118 dated 06.08.2015, registered under Sections 448 read with Section 511, 380 and 506 read with Section 511 of the Indian Penal Code, at Police Station Civil Lines Batala, Police Distt. Batala.

Heard.

On 27.01.2016, the following order was passed:-

*“Prayer is for grant of anticipatory bail to the petitioners-husband and wife duo namely Harpal Singh and Manpreet Kaur in case FIR No.118 dated 06.08.2015 under Sections 448, 380, 511, 506 IPC registered with Police Station Civil Lines Batala, District Police, District Batala.*

*It is contended that for the house situated at Gurdaspur belonging to Poonamjit Kaur, who is the mother-in-law of petitioner no.1 and mother of petitioner no.2, loan of Rs.4,50,000/- was raised and sale deed was*

*executed in favour of complainant-Baljit Singh as security with the understanding that on return of the loan by Poonamjit Kaur by 27.12.2014, reverse sale deed would be executed. All this while Poonamjit Kaur resided in the said house, however, subsequently the complainant Baljit Singh became dishonest and sold the premises to one Rajwinder Kaur and also filed civil suit against Poonamjit Kaur wherein temporary injunction was granted.*

*It is submitted that for throwing out the articles and dispossessing the said Poonamjit Kaur FIR No.110 dated 27.06.2014 under Sections 448, 380, 427 and 511 IPC registered with PS Civil Lines, Batala was filed and as a counter blast to put pressure the present FIR has been lodged on 6.8.2015 with the averments of false occurrence on 27.09.2014 i.e. after almost one year. Both the petitioners have also been falsely nominated, who otherwise are residents of Mohali and have nothing to do with the property at Gurdaspur.*

*Notice of motion for 22.03.2016.*

*In the meanwhile, in the event of their arrest, petitioners shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, they shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC.”*

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 27.01.2016, is made absolute, subject to furnishing bail bonds/surety bonds

to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

**08.09.2016**  
*atulsethi*

**(JITENDRA CHAUHAN)**  
**JUDGE**

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