

**CRM-M-31909-2016 and
CRM-M-39480-2016**

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

Date of Decision: 22.11.2016

1. CRM-M-31909-2016

Balkar Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

AND

2. CRM-M-39480-2016

Karam Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vipin Mahajan, Advocate,
for the petitioners in both the petitions.

Mr. P.S.Grewal, Deputy Advocate General, Punjab.

Mr. B.S.Jaswal, Advocate,
for the complainant.

INDERJIT SINGH, J.

**CRM-M-31909-2016 and
CRM-M-39480-2016**

This order shall dispose of CRM-M-31909-2016, filed by petitioners, Balkar Singh and Jagtar Singh, and CRM-M-39480-2016, filed by petitioner, Karam Singh, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.56 dated 01.08.2016, registered at Police Station Ghoman, District Gurdaspur, under Sections 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

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

Learned counsel for the petitioners argued that petitioners namely Balkar Singh and Jagtar Singh exchanged land with vendor of the complainant, rather in exchange, they were given less land. Mutation has already been sanctioned.

From the record, I find that dispute is with regard to immovable property belonging to two villages. The case of the prosecution is mainly based on the documentary evidence. It is the case of petitioners that civil suit was also filed.

In pursuance of the interim orders dated 27.09.2016 passed in CRM-M-31909-2016 and dated 07.11.2016 passed in CRM-M-39480-

**CRM-M-31909-2016 and
CRM-M-39480-2016**

2016, the petitioners have already joined the investigation. They are now not required for custodial interrogation. Nothing is to be recovered from them.

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, I find merit in both these petitions and the same are allowed. The interim orders dated 27.09.2016 passed in CRM-M-31909-2016 and dated 07.11.2016 passed in CRM-M-39480-2016 passed by this Court, granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

22.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No