

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.34038 of 2015

Date of Decision:-19.01.2016

Baldev Singh & Anr.

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Gurpal Singh, Advocate for
Mr. SPS Sidhu, Advocate for the Petitioners.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by ASI Darshan Singh.

Mr. KDS Sodhi, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioners, namely, Baldev Singh and Sukhdev Singh in case FIR No.236 dated 09.09.2015 for offences punishable under Sections 420, 406, 506 and 120-B of Indian Penal Code registered with Police Station Sadar, Ferozepur, District Ferozepur.

Complainant is Ranjit Singh, who is the grand son of the original recorded owner Arjan Singh of the land in dispute.

The petitioners originally were, admittedly, the lease holders of the said land. The allegations against them are that they have got the revenue entries/Khasra Girdawaries changed in their favour by giving the

wrong address of the complainant.

Counsel for the parties heard at length.

It is not in dispute that there is a civil suit filed by the petitioners seeking injunction from forcible dispossession. It is further not denied that the petitioners were initially put in permissive possession. However, it is alleged that they have not paid the lease amount since 2011, therefore in unauthorised possession.

In the light of the allegations, it is further clear that the investigation is basically based on documentary evidence which are otherwise in possession of the investigating agency.

Without commenting on the merits of the case, keeping in view the above, the present petition is allowed and it is ordered that in the event of their arrest, petitioners shall be released on interim bail subject to the satisfaction of the arresting/investigating officer/Magistrate Concerned. 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.

Disposed of in the above terms.

**(JASWANT SINGH)
JUDGE**

January 19, 2016

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