

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

CRM No.M-41055 of 2015 (O&M)
Date of Decision: September 14, 2016

Kabal Singh and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.B.S.Jaswal, Advocate
for the petitioners.

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

Mr.Vikram Bali, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.7 dated 09.09.2015 under Sections 448, 420, 427, 380, 506 and 120-B IPC registered at Police Station NRI, District Gurdaspur.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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 the FIR in the present case has been registered on the basis of the application of Darshan Singh Bhinder, who

mainly stated that he is NRI and resides in England. When he came back, he noticed that lock of his house was broken and in its place, a new lock was fixed. On enquiry from one villager, he was told that his brother Kabal Singh had been visiting this house. After breaking the new lock, he entered the house and found whole of his luggage spread over and certain parts of the house had been damaged. It is also in the application that Makhan Singh and Manohar Singh have illegally grabbed his house by breaking the wall in his absence. When he enquired from other people of the village, he came to know that whole incident has been done by Kabal Singh, Makhan Singh and Manohar Singh. It is also the allegation that his important papers kept in one side of the house, were burnt.

The present petitioners have already joined the investigation. They are not required for investigation or interrogation purposes.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that no useful purpose will be served by sending the petitioners to custody. The trial of the case of case will take long time.

Therefore, finding merit in the present petition, the same is allowed. The order dated 14.01.2016 granting interim bail to the petitioners is made absolute.

September 14, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No