

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

CRM-M -42994 of 2015 (O&M)

Date of decision: 30.08.2016

Anirudh Singh Chaudhary and another

... Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Naveen Sharma, Advocate for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.
assisted by ASI Gurmail Singh.

Mr. Jaspreet Singh, Advocate and
Mr. Vishal R. Lamba, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner have sought anticipatory bail in FIR No.117 dated 22.06.2015, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Sadar Patiala, District Patiala.

On 19.12.2015, this Court had passed the following order:-

“Petitioners seek the concession of pre-arrest bail in a case registered at the instance of Nalini Kumari after the death of Yashodha Devi and her sons.

It appears that the allegations levelled in the FIR

are that on April 10, 2001, an agreement of sale was executed with Yashodha Devi through her son Kiran Inder Singh. A suit was filed by the petitioners being prospective vendees for enforcement of the rights but later on matter having been compromised, the suit was withdrawn. The allegation of the complainant is that the agreement of sale had been fabricated by the petitioners to cause prejudice to the rights of Yashodha Devi and her successors.

The allegation against the petitioners is that they being proposed vendees had fabricated the agreement of sale dated April 10, 2001.

Counsel submits that the petitioners have not derived any benefit out of the said agreement nor they seek to enforce any rights on the basis of said agreement.

Similar petitions filed by co-accused of the petitioners are pending for February 11, 2016.

Notice of motion for February 11, 2016.

Meanwhile, an interim direction is issued that the petitioners will join investigation on January 2, 2016 and in case of their doing so, they will be released on interim bail to the satisfaction of the arresting officer.”

It is contended that in pursuance of the order dated 19.12.2015, the petitioners have joined the investigation.

The learned State counsel, on instructions, submits that 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 19.12.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

30.08.2016

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(JITENDRA CHAUHAN)
JUDGE

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