

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

CRM-M -43711 of 2015 (O&M)

Date of decision: 30.08.2016

Ravinder Parkash Sood and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner(s).

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 petitioners 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 23.12.2015, this Court had passed the following order:-

“Petitioners seek concession of pre-arrest bail in a case registered at the instance of Nalini Kumari grand daughter of Yashodha Devi alleging that Ravinder Parkash Sood, petitioner No.1 , had fabricated an agreement of sale

dated 21.5.2007 and the Will of Yashodha Devi. A civil suit filed on the basis of agreement of sale was disposed of as having been compromised.

So far as the petitioners are concerned, they had allegedly purchased the property in a fraudulent manner on the basis of forged documents.

Counsel for the petitioners submits that complainant and her mother have filed a suit against the petitioners challenging the sale deeds on the basis of the allegations that compromise dated 23.5.2002 and the entries in the name of late Yashodha Devi regarding the suit land were paper entries. A copy of the order passed in the said suit refusing to grant any interim relief to the complainant has been placed on record.

Counsel for the petitioners has contended that the petitioners are bona fide purchasers for consideration and that the FIR has been registered roping in all the persons who are connected with the transfer of property in favour of the petitioners.

Counsel for the complainant has intervened to oppose the application for pre-arrest bail contending that the petitioners are the main accused who have usurped the property of the complainant.

Similar applications of co-accused are pending before this Court for 11.2.2016.

Notice of motion to the Advocate General, Punjab, for 11.2.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 9.1.2016 between 10AM to 4 PM. In case of petitioners doing so, they will be released on interim bail to the satisfaction of the arresting officer.

Counsel for the complainant will be at liberty to raise arguments, on next date of hearing.”

It is contended that in pursuance of the order dated 23.12.2015, 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 23.12.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

30.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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