

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

CRM-M -533 of 2015 (O&M)
Date of decision: 26.09.2016

Harbilas

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Som Lal.

Mr. Bipan Ghai, Sr. Advocate with
Mr. V.S. Virk, Advocate for the complainant.

Mr. B.S. Pathania, Advocate for
Mr. Amit Dhawan, Advocate.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.301 dated 19.10.2013, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Nakodar, District Jalandhar.

On 15.01.2015, this Court had passed the following order:-

“The allegations in this case are that Pritam Singh the original owner of the land has executed general power of

attorney on 5.3.1991 in favour of Dalbir Singh. After the death of Pritam Singh, the land was inherited by his wife Jasbir Kaur. Later on Pritam Singh died in England. Seven years after the death of Pritam Singh, Dalbir Singh executed sale deed dated 13.2.2002 in favour of his son Jagmohan Singh and Harbilas the present petitioner pertaining to land measuring 2 kanal 7 marla. Later on, he executed another sale deed in favour of Ajit Singh on 3.3.2002 in which Harbilas was witness.

Learned counsel for the complainant as well as the State counsel has argued that Harbilas knew about the death of Pritam Singh which is coming out from the joint sale deed in favour of Jagmohan Singh son of the main accused Dalbir Singh and Harbilas. In this case, sale deed is yet to be recovered.

On the other hand, learned counsel for the petitioner has argued that Ajit Singh has been granted bail by the lower Court and that he is ready to surrender the documents before the police. It has been further argued that Pritam Singh died in England and death was not within his knowledge.

In the circumstances, the petitioner is directed to join the investigation within next four days, disclose all the facts and surrender all the documents to the police. In the event of his arrest, he will be released on interim bail to the satisfaction of the Arresting Officer, subject to the such conditions as contained in Section 438 (2) Cr.P.C.

Adjourned to 24.2.2015.”

The learned State counsel, on instructions submits that in pursuance of the order dated 15.01.2015, the petitioner has joined the investigation and he is 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 15.01.2015, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

26.09.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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