

**CRM-M-13270-2017 and
CRM-M-15256-2017**

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

Date of Decision: 30.05.2017.

1. CRM-M-13270-2017

Raj Kaur

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-15256-2017

Davinder Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Preetinder Singh Ahluwalia, Advocate
for the petitioners in both the petitions.

Mr. V.P.S. Sidhu, AAG, Punjab.

Mr. D.S.Randhawa, Advocate,
for the complainant.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-13270-2017, filed by
petitioner-Raj Kaur and CRM-M-15256-2017, filed by petitioners-Davinder
Singh and Gurvinder Singh under Section 438 of the Code of Criminal

Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case

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FIR No.49, dated 29.03.2017, registered at Police Station Sadar Samana, District Patiala, under Sections 406, 420, 34 and 120-B of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested both these petitions.

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 in the present case, sale deed was executed on 18.03.2016 and mutation was sanctioned on 29.03.2016. However, the complaint was filed on 15.11.2016 and FIR is stated to have been registered on 29.03.2017. The main dispute is with regard to non-payment of sale price. The petitioners are not the vendees of the sale deed. There is no allegation regarding forgery or impersonation while executing the sale deed. The case is mainly based on documentary evidence.

In pursuance of the interim orders dated 21.04.2017 passed in CRM-M-13270-2017 and dated 03.05.2017 passed in CRM-M-15256-2017, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without

expressing any opinion on the merits of the case, I find merit in both these

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petitions and the same are allowed. The orders dated 21.04.2017 passed in CRM-M-13270-2017 and dated 03.05.2017 passed in CRM-M-15256-2017, granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

30.05.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No