

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

**Crl. Misc. No.M-16192 of 2017 (O&M)
Date of Decision: August 24, 2017**

Pal Kaur and others

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vivek Suri, Advocate
for the petitioner (s).

Ms. Rajni Gupta, Senior D.A.G. Punjab.

Mr. F.S.Virk, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 16 dated 28.01.2017 registered for the offences punishable under Sections 447, 511, 380, 506 of Indian Penal Code at Police Station Civil Lines Patiala.

Heard.

The dispute in this case pertains to the disputed property which the complainant alleged that she had purchased from Amar Singh. As per the allegations in the FIR, on 24.01.2017 Pal Kaur, Sandeep Kumar, Rajiv Kumar, Happy and Kanta demolished the back wall of veranda of complainant and took away the tin sheets and iron pipes. Happy and Kanta

constructed a gate of their house after demolishing her veranda. Firstly, there is no eye witness of the occurrence as per the allegations in the FIR and secondly, it is a property dispute which calls for verification on the basis of documents in possession of parties, for which custodial interrogation of petitioners is not required.

Keeping in view the above facts, this petition is allowed and the order dated 09.05.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

August 24, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***