

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-23351 of 2017
Date of Decision : 13.07.2017

Rupinder Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sukhdeep Singh Sidhu, Advocate for the petitioners.

Mr. H.S. Grewal, Additional Advocate General, Punjab.

Anupinder Singh Grewal, J.(Oral)

The petitioners are seeking regular bail in FIR No. 68, dated 13.07.2014, under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Cantt. Bathinda, District Bathinda.

Learned counsel for the petitioners contends that the allegations against the petitioner No. 1 in the FIR are that he along with his mother, namely, Dalip Kaur had sold land comprising Khasra No. 2462/2min (3-0) measuring 300 sq. yards vide sale deed dated 20.05.2014, while the allegations against petitioner No. 2 are that he along with Lachhman Singh and Hakam Singh had sold 1200 sq. yards land vide sale deed dated 28.05.2014, although the Bathinda Improvement Trust is stated to have acquired the land in 1993. Learned counsel contends that the petitioners were owners in possession of the land in question as duly recorded in the jamabandi for the year 2007-2008 (Annexure P-3) which was obtained by

the petitioners on 02.05.2014. He further contends that the petitioners have been in custody for over two months since their arrest on 04.05.2017 and similarly situated co-accused, namely, Lachhman Singh and Hakam Singh, who along with petitioner No. 2 had sold the land, have been granted the concession of regular bail by the trial Court on 22.08.2014 after spending less than one month in custody.

Learned State counsel has filed custody certificate of petitioner No. 1, namely, Rupinder Singh, in Court today, which is taken on record. He upon instructions from ASI Surender Singh does not dispute that when the petitioners sold their land, they had been recorded as owners in the revenue record.

I have heard learned counsel for the parties.

The petitioners have been recorded as owners in the revenue record at the time of sale of the land and similarly situated co-accused have been released on regular bail.

In view of the aforementioned facts and circumstances and without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioners, namely, Rupinder Singh and Balwinder Singh are ordered to be released on regular bail on their furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

July 13th, 2017
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Whether speaking/reasoned? Yes

Whether reportable? No