

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-42772 of 2016

.....

Date of decision:6.11.2017

Pardeep Gabbar

.....Petitioner

v.

State of Punjab and another

.....Respondents

....

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Ayush Sarna, Assistant Advocate General, Punjab
for the respondent-State.

Mr. Rohit Verma, Advocate for the complainant-respondent
No.2.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.205 dated 17.10.2016
registered for the offences under Sections 447, 380 IPC and (Section 457
IPC, which was added later on) at Police Station Sadar Amritsar, District
Police Commissionerate, Amritsar.

Notice of motion has been issued in this case.

Mr. Ayush Sarna, learned Assistant Advocate General, Punjab
has put in appearance on behalf of the respondent-State and Mr. Rohit
Verma, learned Advocate appeared for the complainant-respondent No.2 and
contested this petition.

I have heard learned counsel for the parties as well as learned

Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that the petitioner has already joined the investigation. He is not required for custodial interrogation. The dispute between the parties is regarding the house. As per the FIR the locks of the house have been broken and possession had been taken forcibly. The civil litigation is already pending between the parties. There was also a compromise effected between the parties.

Learned counsel for the petitioner submits that the petitioner wants to pay the amount in two/three instalments but the complainant is not accepting the same. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 8.12.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner 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.

November 6, 2017.

(Inderjit Singh)
Judge

hsp

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