

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Date of Decision: 17.01.2017

1. CRM-M-44597-2016

Sabeel Ram

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-45119-2016

Lakhbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ankur Bansal, Advocate,
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

Mr. Kawaljyot Singh, Advocate,
for the complainant.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-44597-2016, filed by petitioner-Sabeel Ram and CRM-M-45119-2016, filed by petitioner-Lakhbir Singh, under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.PC.') for grant of anticipatory bail in case FIR No.275 dated 08.09.2016, registered at Police Station Navi Baradari, District Jalandhar, under Sections 420, 465, 468, 471, 182, 177 and 120-B IPC and Section 3 (1) (q) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, added later on.

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

I have heard learned counsel for the petitioners; learned State counsel as well as learned counsel for complainant and have gone through the record.

From the record, I find that as per the FIR, Sabeel Ram (petitioner in CRM-M-44597-2016) got issued forged certificate of schedule caste in connivance with co-accused Jasbir Singh and his brother-Lakhbir Singh (petitioner in CRM-M-45119-2016) and was elected to the post of Sarpanch.

Learned counsel for the petitioners stated that the matter is already subjudiced before this Court and notice of motion has already been issued by this Court. He further argued that election petition filed by the complainant for removal of petitioner-Sabeel Ram has already been dismissed by this Court.

In pursuance of the interim orders dated 13.12.2016 passed in CRM-M-44597-2016 and 16.12.2016 passed in CRM-M-45119-2016, the petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. Moreover, the case is based on documentary evidence. 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; without

expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The orders dated 13.12.2016 passed in CRM-M-44597-2016 and 16.12.2016 passed in CRM-M-45119-2016, 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.PC.

17.01.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:

Whether speaking/reasoned
Whether reportable

:
:

Yes
No