

CRM-M-43943-2017

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

CRM-M-43943-2017

Date of Decision:19.12.2017

Sewa Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Harpreet Singh Jakhal, Advocate,
for the petitioners.

Mr. Ayush Sarna, AAG, Punjab

INDERJIT SINGH, J. (Oral)

Petitioners-Sewa Singh, Nachhatar Singh and Surat Singh have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.177 dated 24.09.2017, registered at Police Station Sadar Jalalabad, under Sections 447, 427, 420 and 109 of IPC and Section 379 of IPC added later on.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that as per the prosecution version, the accused persons had demolished '*Pullies*' (pipes) and taken the same to their

CRM-M-43943-2017

home. It looks that dispute is regarding the land and passage connecting to the house of the complainant.

In pursuance of the interim order dated 20.11.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them 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 this petition and the same is allowed. The order dated 20.11.2017, granting interim bail to the petitioners, is 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.

19.12.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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