

CRM-M-7795-2017

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

CRM-M-7795-2017 (O & M)

Date of Decision: 31.08.2017

Harjinder Kaur and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sham Lal Bhalla, Advocate,
for the petitioners.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioners-Harjinder Kaur and Manjit 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.27 dated 27.01.2017, registered at Police Station Sadar Ludhiana, under Sections 420 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel 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 FIR, in the present case, has been registered on the basis of application given by complainant-Mohinder

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Singh. As per the prosecution version, dispute between the parties is with regard to execution of sale deed on the basis of agreement to sell. As per the allegations, the petitioners have not executed the sale deed in favour of the complainant, rather now they have sold the property to someone else. The case is based on documentary evidence.

In pursuance of the interim order dated 08.03.2017 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 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 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 08.03.2017, 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.

31.08.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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