

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

CRM-M-22071 of 2018

Date of Decision:-11.09.2018

Surjit Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. A.S. Khosa, Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG Punjab.

GURVINDER SINGH GILL J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.32 dated 21.4.2017, under Sections 379, 427, 436, 148 and 149 IPC, registered at Police Station Arniwala, District Fazilka.

The FIR in question was registered at the instance of Amro Bai, wherein it has been alleged that she has been residing in Village Tahliwala Bodla and had sown wheat crop in her land measuring 3 ½ Kanals and that in her absence Surjit Singh (petitioner No.1), his wife Shello Bai (petitioner No.2), Pramjit Kaur, Challo Bai, Ranjit Singh, Jarnail Singh, Jaspal Singh and Amir Singh had committed theft of her

wheat crop and had also set a room, which has been constructed on her land, on fire.

Learned counsel for the petitioner has submitted that a false case has been registered against the petitioners and that in fact a civil litigation regarding the land in question is going on between the parties and the present case has been registered simply to harass and pressurize the petitioners.

Pursuant to interim directions issued by this Court on 03.8.2018 the petitioners have joined the investigation. Learned State counsel assisted by ASI Bhagwan Singh has verified this fact.

Having regard to the facts and circumstances and also bearing in mind that FIR in the present case was lodged after 1 ½ months of the occurrence, in my opinion, it is a fit case for grant of anticipatory bail to the petitioners. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 23.5.2018 are hereby made absolute subject to the condition that the petitioners shall appear before the Investigating Officer as and when directed.

This petition stands disposed of accordingly.

September 11, 2018
Vijay Asija

(**GURVINDER SINGH GILL**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No