

CRM-M-24966-2018

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

CRM-M-24966-2018 (O & M)

Date of Decision:10.08.2018

Surinderjit Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jasdev Singh Mehndiratta, Advocate,
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

Mr. Surinder Thakur, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioners-Surinderjit Singh and Satwinder 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.61 dated 18.05.2018, registered at Police Station Bullowal, District Hoshiarpur, under Sections 406 and 420 of the Indian Penal Code.

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

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

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In nutshell, allegations against the present petitioners are that they, who are the sons of complainant-Tilak Raj, asked their father-complainant to get transferred 02 kanals of land to each of them. As per the complainant, he went to Tehsil Complex and he being an illiterate person, the petitioners got executed the sale deed of much more area.

In pursuance of the interim order dated 06.08.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. The case is based on documentary evidence. Moreover, a case under Senior Citizens Act is already pending before the SDM qua the present sale deeds. 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 06.08.2018, 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.

10.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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