

**Crl. Misc. No. M-26830 of 2017 and
Crl. Misc. No. M-40505 of 2017**

[1]

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

**Crl. Misc. No. M-26830 of 2017
Date of Decision : January 09, 2018**

Baldev Singh and anotherPetitioners

Versus

State of Punjab Respondent

AND

Crl. Misc. No. M-40505 of 2017

Balkar Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

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Present: Mr. Manvinder Singh Bal, Advocate
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

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LISA GILL, J. (Oral)

This order shall dispose of CRM-M-26830-2017 as well as CRM-M-40505-2017.

The petitioners in both the cases seek the concession of anticipatory bail in FIR No. 53 dated 24.05.2017 under Sections 447, 452, 354, 323 IPC registered at Police Station Chohla Sahib, District Tarn Taran.

Petitioner-Balkar Singh, it is submitted, is a 60 year old man. There is dispute regarding land of which he is the owner. In respect to the petitioners-

Baldev Singh and Gurdev Singh it is submitted that they were not named initially

in the FIR on 30.03.2017 by the complainant. They were subsequently named in May 2017. The said petitioners are the lease holders of the land belonging to Balkar Singh. The FIR in question has been registered after a lapse of five months of the alleged occurrence. Moreover, the petitioners have joined investigation. They are not involved in any other criminal case. Therefore, these petitions be allowed.

Learned counsel for the State, on instructions from ASI Prem Singh, verifies that a civil dispute between the parties is pending. It is further verified that all the three petitioners have joined investigation pursuant to interim orders passed by this Court and their custodial interrogation is not required. No recovery is to be effected from them. None of the petitioners are reported to be involved in any other criminal case.

There is no allegation that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow these petitions. Consequently, order dated 04.08.2017 passed in CRM-M-26830-2017 as well as order dated 31.10.2017 passed in CRM-M-40505-2017 are made absolute.

09.01.2018
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**(LISA GILL)
JUDGE**

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No