

CRM-M-34016-2017

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

CRM-M-34016-2017

Date of Decision:03.07.2018

Sukhdev Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. H.S.Saggu, Advocate,
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. B.S.Bhalla, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Sukhdev Singh and Baljit 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.104 dated 30.05.2017, registered at Police Station Baghapurana, District Moga, under Sections 447, 511, 457, 380 and 506 and 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 complainant also appeared through his counsel. They contested this petition.

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

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It is observed in the interim order dated 27.04.2018 passed by this Court that documents Annexures P-8 and P-9 *prima facie* show that a settlement at one point of time had been arrived at between the parties. Petitioner No.1-Sukhev Singh is real brother and petitioner No.2 is nephew of the complainant. The only allegation against the petitioners is that they were trying to close the main gate of the house with bricks and take forcible possession of the house and some articles have also been stolen from the house.

In pursuance of the interim order dated 27.04.2018 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 27.04.2018, 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.

03.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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