

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No.46537 of 2017 (O&M)

Date of decision : 20.3.2018

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Sital Singh and another

.....Petitioners

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Prateek Pandit, Advocate for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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H. S. Madaan, J. (Oral)

Learned State counsel, on instructions from ASI Harpal Singh, from Police Station NRI Kapurthala, states that petitioners have since joined the investigation and have surrendered their passports before the Investigating Officer.

Though learned State counsel submits that recovery of generator, motor, iron rods and iron gate etc. is yet to be effected, but learned counsel for the petitioners has brought to my notice that basically it is a dispute between the near relatives, as regards the partition of joint property and according to him the FIR has been lodged as a pressure tactics. My attention has been drawn to the

decree for permanent injunction passed in favour of Sital Singh – petitioner, by the Civil Court as well as copy of petition under Order 21 Rule 32 CPC, filed by the petitioner against Lakhvir Singh and Inspector Satnam Singh.

Under these circumstances, I find that custodial interrogation of the petitioners is not warranted. Therefore, the interim bail granted to the petitioners vide order dated 7.12.2017 is made absolute, subject to fulfillment of conditions envisaged under Section 438(2) Cr.P.C.

The petition in that way is allowed.

It is made clear, that in case the petitioners are found to be indulging in any criminal activity, after being granted bail vide this order, the order shall be liable to be withdrawn.

20.3.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No