

CRM-M-799-2019

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

CRM-M-799-2019
Date of Decision: 01.02.2019

Jaspal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Arvind Kashyap, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Amrik Singh Billing, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has 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.144 dated 17.12.2018, registered at Police Station Amloh, District Fatehgarh Sahib, 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 his counsel. They contested this petition.

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

State counsel and gone through the record.

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From the record, I find that FIR, in the present case, has been registered on the application of complainant-Dalbara Singh. As per the prosecution version, the petitioner (accused), his wife and his son approached the complainant for transfer of land of his parents in their names. As per the FIR, the thumb impressions of the complainant were obtained and the petitioner got transferred the land of complainant's share in his name.

In pursuance of the interim order dated 11.01.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. The case is based on documentary evidence. Therefore, no useful purpose will be served by sending the petitioner 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 11.01.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

01.02.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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