

**CRM-M-3845-2019 and
CRM-M-62276-2018**

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

Date of Decision:26.02.2019

1. CRM-M-3845-2019

Ritesh Chopra

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-62276-2018

Angrej Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.S.Ahluwalia, Advocate,
for the petitioner in CRM-M-3845-2019.

Mr. D.S.Gurna, Advocate,
for the petitioner in CRM-M-62276-2018.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-3845-2019, filed by
petitioner-Ritesh Chopra and CRM-M-62276-2018, filed by petitioner-
Angrej Singh, under Section 438 of the Code of Criminal Procedure, 1973

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(for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.117 dated 15.11.2018, registered at Police Station Anaj Mandi, District Patiala, under Section 306 of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of the respondent-State and contested both these petitions.

In CRM-M-62276-2018, status report by way of affidavit of Sh. Dalbir Singh Grewal, PPS, Deputy Superintendent of Police, City-2, Patiala has been filed in the Court today. Same is taken on record.

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

Learned counsel for the petitioners argued that the alleged sale deed is stated to have been executed on 07.05.2012 and at that time, deceased, who committed the suicide, was an employee of PSEB and he died in the year 2018. The deceased had sold the property to petitioner-Ritesh Chopra, which was already mortgaged with the bank and the FIR was registered against the deceased and he was convicted under Section 420 of the IPC on 21.03.2018. The plea whatever mentioned in the FIR was taken by the deceased in that case while recording his statement under Section 313 Cr.P.C. and the trial Court had not believed that version. Learned counsel further submitted that there were almost 10 complaints pending against the deceased under Section 138 of the N.I.Act filed by other persons and in number of cases, the deceased was declared proclaimed offender.

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before this Court was also rejected, which is the base of present FIR. Learned counsel further argued that the parties were in litigation for the last so many years.

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 that the petitioners have already joined the investigation; they are not required for custodial interrogation and no useful purpose will be served by sending them to custody. Therefore, finding merits in both these petitions, the same are allowed. The orders dated 02.01.2019 passed in CRM-M-62276-2018 and dated 08.02.2019 passed in CRM-M-3845-2019 by this Court, granting interim bail to the petitioners, are 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.

26.02.2019
parveen kumar

(INDERJIT SINGH)
JUDGE

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