

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

(i) CRM No.M-4267 of 2019 (O&M)

Sethi Lal

...Petitioner

VERSUS

State of Punjab

...Respondent

(ii) CRM No.M-5737 of 2019 (O&M)

Lachhman Dass

...Petitioner

VERSUS

State of Punjab

...Respondent

Date of Decision: February 22, 2019

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms.Mannat Anand, Advocate
for the petitioners.

Mr.Dhruv Dayal, Sr.DAG, Punjab
for the respondent-State.

Mr.C.L.Verma, Advocate
for the complainant.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together as these
have arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C.

for grant of anticipatory bail in case FIR No.230 dated 29.12.2018 under Sections 420, 465, 467, 471 and 120-B IPC, registered at Police Station Haibowal, District Ludhiana.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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

From the record, I find that as per prosecution version, FIR in the present case has been registered on the application of Rajni Devi. As per complainant, Nirmal Singh entered into agreement to sell with the complainant and money was paid, as per FIR, to Nirmal Singh, Gaurav and Vipin Kumar Dhir. The present petitioners have not entered into agreement to sell with the complainant. Neither they have received any money from the complainant nor they induced her to give money to Nirmal Singh etc. Learned counsel for the complainant contended that present petitioners along with other accused have formed a gang and used to cheat people.

The petitioners have already joined the investigation. Nothing is to be recovered from them. The petitioners are not required for custodial interrogation. No useful purpose will be served by sending and keeping the petitioners in custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioners are entitled to benefit of anticipatory bail. Therefore, both the petitions are accepted and the order dated 30.01.2019 passed in CRM

of 2019 granting interim bail to the petitioners, are made absolute.

February 22, 2019
Vgulati

Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

Yes
No