

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of Decision : 2.4.2019

CRM-M-12297--2019 (O&M)

Santosh Kumari

...Petitioner

vs.

State of Punjab

...Respondent

CRM-M-14057-2019 (O&M)

Shingara Singh and another

...Petitioners

vs.

State of Punjab

..Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. J.S.Gill, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This common order shall dispose of abovementioned two petitions as the facts involved therein are same.

These two petitions have been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No. 06 dated 2.2.2019 registered under Sections 183, 186, 353, 283, 427, 431, 447, 120-B IPC at PS Garhdiwal, District Hoshiarpur.

The dispute in these two cases is with regard to the piece of land which as per the petitioners is their private property but as per the respondent

and Gram Panchayat it is a street. The allegations against the petitioners are that when the authority went to remove the blockage which had been created by the petitioners they threatened and stated that they would again block the said piece of land.

Counsel for the petitioners has stated that the petitioners would not oppose the action taken by the authority and would not block the piece of land and would seek civil remedy.

Learned DAG states that in case the petitioners undertakes not to block the said piece of land unilaterally and will abide by the decision of the competent authority, the State would have no objection if interim bail is granted to them.

Resultantly, the petitions are allowed subject to the abovementioned undertaking. In the event of arrest they will be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438 (2) Cr.P.C. The petitioners are directed to appear before the Investigating Officer on 8.4.2019 and as and when their presence is required. It is made clear that in case the petitioners do not act in the aforesaid manner the present petitions would be deemed to have been dismissed.

Since the main cases have been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

2.4.2019			(AJAY TEWARI)
anuradha			JUDGE
	Whether speaking/reasoned	-	Yes/No
	Whether reportable	-	Yes/No