

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-25838-2018(O & M)

Date of Decision: 21.05.2019

SUNDER SINGH & ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Vijay Lath, Advocate for the petitioners.

Ms. Ruchika Sabharwal, AAG, Punjab.

Mr. Parvinder Singh, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners are seeking anticipatory bail in FIR No.93 dated 11.05.2018, under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Sohana, District SAS Nagar Mohali.

Learned counsel for the petitioners contends that the FIR is a result of property dispute after the death of Darbara Singh alias Dalbara Singh. The deceased is the first cousin of the petitioners while the complainant is the brother of the deceased. He further contends that it is alleged in the FIR that the Will of Dalbara Singh was forged and the petitioners had sold his property. He, however, contends that prior to his death, Dalbara Singh was residing with the petitioners and there were criminal cases between the deceased and the complainant. He also contends that the afore-noted Will has been challenged by the sister of the complainant which is being adjudicated by the trial Court along with suit for declaration preferred by the petitioners.

A coordinate Bench of this Court, by the order dated 13.06.2018, had directed the petitioners to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Om Parkash, states that the petitioners have joined investigation and are not required for custodial interrogation. She further contends that on completion of investigation, challan has been filed in the Court but no prosecution witness has been examined.

In view of the submissions of learned counsel for the petitioners and keeping in view the fact that the petitioners have joined investigation, the order dated 13.06.2018 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

May 21, 2019
A.Kaundal

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No