

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

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CRM-M-19740-2019 (O&M)

DATE OF DECISION: 24.07.2019

TAKDIR AND ANR.

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. B.S. Jaswal, Advocate
for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

Mr. Harsh Chopra, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No.168, dated 19.04.2019, under Sections 147, 149, 379, 447 and 506 IPC, registered at Police Station Sonipat Sadar, District Sonipat.

Learned counsel for the petitioners contends that the allegations in the FIR are that the petitioners harvested the wheat crop and had threatened the complainant. He, however, contends that the dispute with regard to the land is pending before the Civil Court as the petitioners had filed the civil suit for setting aside the sale deed which was entered by the complainant with the mother of the petitioners, who was 80 years old at that time.

Learned counsel for the complainant, however, contends that land measuring 7 kanals and 12 marlas was purchased for a sum of Rs.19,47,500/- out of which a sum of Rs.8 lakh was paid to the petitioners.

Learned counsel for the petitioners also submits that he had handed over a demand draft for a sum of Rs.40,000/- in the name of the complainant to the counsel for the complainant without prejudice to the rights and contentions in this petition as well as in the civil suit. Learned counsel for the petitioners further states that as the complainant had

refused to accept the draft of Rs.40,000/- in terms of the previous order of this Court, he had handed over the same to the Investigating Officer.

Learned State counsel after receiving the draft from the Investigating Officer, who is present in Court, has handed over the same to the learned counsel for the complainant.

This Court, by the order dated 29.05.2019, had directed the petitioners to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were 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, upon instructions from ASI Naresh Kumar, states that the petitioners have joined investigation and are not required for custodial interrogation.

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 29.05.2019 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.

24.07.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

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