

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

CRM No.M-23622 of 2019 (O&M)
Date of Decision: July 25, 2019

Gaurav Ahuja and another

...Petitioners

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Akshay Bhan, Senior Advocate with
Mr.Harparteek S. Sandhu, Advocate
for the petitioners.

Mr.Navdeep Singh, AAG, Haryana
for the respondent-State.

Mr.K.B.S.Mann, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.347 dated 10.12.2017 under
Sections 120-B, 420, 467, 468 and 471 IPC, registered at Police Station
Adampur.

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.

The FIR in the present case has been got registered by one
Mahavir by alleging that petitioners by showing Banwari Lal to be alive on

of Attorney, the petitioners-accused, on 11.11.2009 got sale deed qua land of Banwari Lal, executed in favour of Sangam Krishi Pvt. Ltd., Delhi and Space Infrastructure Pvt. Ltd., Delhi whereas Banwari Lal has died, as per record on 04.02.1999.

Learned counsel for the petitioners contended that earlier the FIR was got registered by Parampal against Banwari Lal on 10.03.2017 by showing him alive. The complainant was Parampal in that case and now, present complainant Mahavir has got registered FIR by stating that Banwari Lal had died earlier. He stated that Mahavir has no concern with the property and he is coming through Parampal. Learned counsel for the petitioners further contended that earlier the land was got exchanged between the parties and heirs of Banwari Lal have no grievance of any type.

The petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. The case is based on documentary evidence. 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, the present petition is accepted and the order dated 23.05.2019 granting interim bail to the petitioners, is made absolute.

July 25, 2019
Vgulati

(INDERJIT SINGH)
JUDGE
Yes
No

Whether speaking/reasoned
Whether reportable