

...

204

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-52223-2018

Date of Decision : January 09, 2019

Ajit Singh alias Jit Singh and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Argued by Mr. Abhijeet P.S. Chaudhary, Advocate,
for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
for respondent-State.

Mr. G.S.Lalli, Advocate,
for the complainant.

SHEKHER DHAWAN, J.

Present petition under Section 438 of the Code of Criminal Procedure is for grant of anticipatory bail to the petitioners in case bearing FIR No. 188 dated 2.11.2018 under Sections 380, 448, 506, 427, 201 read with Section 120-B of IPC (Annexure P/1) registered at Police Station Division No.2, District Police Commissionerate, Ludhiana.

2. Learned counsel for the petitioners contended that Petitioner No.1 is the paternal uncle and petitioners No.2 and 3 are cousins of the complainant. Ram Singh, father of petitioner No.1 has died and her mother, namely, Ishar Kaur got married with her brother-in-law (Jeth), namely, Uttam Singh. On 8.1.1985, Uttam Singh executed a registered

...

Will in favour of his son Balwant Singh. Balwant Singh died on 14.1.2008 and the complainant alongwith her four sisters and two brothers became owners of the property in dispute. Complainant tried to get vacated the premises from the petitioners and for that purpose, various false complaints were filed.

3. Learned counsel for the petitioners further contended that the petitioners are innocent and the matter in controversy is civil in nature. Nothing is to be recovered from the petitioners. So, they be released on anticipatory bail.

4. Learned State counsel, assisted by learned counsel for the complainant, contended that the petitioners herein demolished the property and mis-appropriated articles lying over there and raised new construction. The said version has been denied by them. The matter requires detailed investigation. So, the present petition be dismissed.

5. In view of the above, as per the complainant version, the stolen articles are yet to be recovered from the petitioners, the matter requires detailed custodial investigation. As such, no case is made out for grant of pre-arrest bail to the petitioners.

6. The present petition stands dismissed.

(SHEKHER DHAWAN)
JUDGE

January 09, 2019

som

Whether speaking/reasoned?	:	Yes
Whether reportable?	:	Yes