

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

101+213

**CRM-19927-2019 IN/AND
CRM-M-26715-2019
DATE OF DECISION: 05.09.2019**

KARAMJIT SINGH AND ANR.

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Arvind Kashyap, Advocate
for the petitioners.

Mr. K.K. Bhaniwala, Addl. A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

CRM-19927-2019

Application is allowed as prayed for and the document which is annexed as Annexure P-1 is taken on record.

MAIN CASE

The petitioners are seeking anticipatory bail in FIR No.59 dated 08.05.2019, under Sections 380, 454, 448 & 34 IPC, registered at Police Station Amloh, District Fatehgarh Sahib.

Learned counsel for the petitioners contends that the petitioners along with others had broken the lock of the main gate and taken away the luggage including fridge, beds, microwave and Rs.25,000/- in cash from the house of the complainant. He, however, contends that petitioner No.1 is the brother of the complainant and there is dispute with regard to the house. Their mother namely Sukhwinder Kaur has filed a suit against her dispossession against the complainant and the civil Court by the order dated 31.05.2019 has restrained the complainant from dispossessing her in civil suit. He has referred to the copy of the order of the civil Court which is at Annexure P-6. It had been stated by Sukhwinder Kaur in her plaint that she is residing along

with petitioner No.1 in the same house wherefrom the complainant is trying to dispossess them.

A coordinate Bench of this Court, by the order dated 13.06.2019, 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 Major Singh, states that although the petitioners have joined investigation but household articles including fridge and beds are to be recovered from the petitioners.

In view of the submissions of learned counsel for the petitioners, especially when there is a civil dispute with regard to the house wherein dispossession of mother of petitioner No.1 has been stayed and the petitioners having joined investigation, the order dated 13.06.2019 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.

05.09.2019

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

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