

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

CRM-M-42180-2019
Date of decision: 23.10.2019

Neelam Sachdeva and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ashish Gupta, Advocate
for the petitioners.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 160 dated 14.11.2017, registered under Sections 420/34 of the IPC at Police Station City Kot-Kapura, District Faridkot.

The operative part of the order dated 03.10.2019, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners submits that as per agreement to sell dated 30.01.2017 (Annexure P-1), Pardeep Sachdeva, who is the husband of petitioner No. 1 and brother-in-law of petitioner No. 2, has agreed to sell the property in dispute to complainant and in the agreement to sell, it is mentioned that by virtue of sale deed dated 21.08.2014, petitioner No. 2 has sold the property in favour of Pardeep Sachdeva and similarly by virtue of transfer deed dated 20.08.2014, petitioner No. 1 has also transferred the ownership of the said property in favour of Pardeep Sachdeva.

Learned counsel for the petitioners further submits

that both the petitioners are not the beneficiaries of the agreement to sell as they are not the owner of the said property and they are only signatories to the agreement.

It is further submitted that till date, no suit for specific performance has been filed by the complainant.

Learned State counsel, on instructions from ASI Satpal Singh, submits that the petitioners may be directed to join investigation.

List again on 23.10.2019.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 03.10.2019, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Balkaran Singh, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 03.10.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.10.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No