

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

**CRM-M No.50767 of 2019
Decided on: 05.12.2019**

Jasbir Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.80 dated 13.08.2019, for offence punishable under Sections 420, 465, 466, 467, 468, 471 and 120-B of the Indian Penal Code (in short 'IPC'), registered at Police Station Ramdas, District Amritsar (Rural).

Counsel for the petitioners has argued that as per the allegations in the FIR, registered at the instance of Varinderjit Kaur, she has entered into an agreement to sell on 26.10.2018 regarding 60 kanals of land with co-accused Piar Kaur, however later on, she came to know that Piar Kaur has played a fraud and the land did not belong to her and it is under the ownership of the Forest Department. During the investigation, it was found that Piar Kaur has purchased this land from Gurcharan Kaur and Gurcharan Kaur has purchased the said land from

the present petitioners on 23.12.2009 for a sale consideration of Rs.1.50 lacs.

Counsel for the petitioners has further argued that the co-accused namely Gurcharan Kaur, Kashmir Singh, Piar Kaur, Jaspal Singh and Rajbir Kaur have already been granted the concession of anticipatory bail vide CRM-M Nos.46911, 40284, 42589 and 47729 of 2019. It is also submitted that the petitioners are in custody since 09.10.2019, the investigation *qua* the petitioners is complete, the petitioners are no more required for further investigation and they are ready to deposit the sale consideration of Rs.1.50 lacs with the trial Court/Illaq Magistrate/Duty Magistrate, which was received in the year 2009 from Gurcharan Kaur.

Counsel for the petitioners has also submitted that the petitioners are not involved in any other case and conclusion of the trial will take some time.

Counsel for the State, on instructions from ASI Nirmal Singh, has not disputed the factual position but opposed the prayer for bail. It is further submitted that challan *qua* the petitioners will be presented before the trial Court in due course.

Without commenting anything on merits of the case, considering the fact that the petitioners are not involved in any other case; they are in custody for the last 01 month and 25 days and have undertaken to deposit the amount of Rs.1.50 lacs with the trial Court/Illaq Magistrate/Duty Magistrate and it will take some time in conclusion of the trial, this petition is allowed and the petitioners are directed to be released on bail subject to their furnishing bail/surety

bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

The petitioners are directed to deposit the amount of Rs.1.50 lacs with the trial Court/Illaqa Magistrate/Duty Magistrate, subject to final outcome of the case and the amount so deposited shall be kept in an FDR.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

05.12.2019
yakub

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