

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-43632-2018

DATE OF DECISION: 11.4.2019

SACHIN MITTAL & ANOTHER

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Naresh Jain, Advocate for the petitioner(s).

Mr. Amit Mehta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No.20 dated 29.01.2018, under Sections 420/120-B/506 IPC, registered at Police Station City Kharar, District SAS Nagar, Mohali.

Learned counsel for the petitioners contends that the allegations against the petitioners in the FIR are that the complainant had taken a loan of ₹75 lakh from Parkash Thakur and ₹ 12 lakh from Deepak Gupta by mortgaging a showroom and a house but instead of executing the mortgage deed, they had got executed the sale deed. He also contends that the petitioners are only attesting witnesses for the sale deed, which was executed in their presence before a Sub-Registrar and their photographs were duly taken. There are no allegations that the petitioners have received any money in this regard. He also contends that the beneficiaries of the mortgage deed namely Parkash Thakur and Deepak Gupta have been granted the benefit of anticipatory bail by an order dated 8.10.2018 passed by a coordinate Bench of this Court in CRM-M-9122 of 2018.

A coordinate Bench of this Court, by the order dated 13.12.2018, 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, on instructions from HC Jaswinder Singh, states that the petitioners have joined investigation and are not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioners and keeping in view the fact that the petitioners have joined investigation, the order dated 13.12.2018 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.

11.4.2019

(ANUPINDER SINGH GREWAL)
JUDGE

SwarnjitS

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