

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

Date of decision: 17.06.2020

CRM-M-10819 of 2020 (O&M)

Gurjeet Singh & others

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Sushma Chopra, Advocate, for the petitioners.

Mr. Suveer Sheokhand, Addl. AG, Punjab.

RAJIV NARAIN RAINA, J. (ORAL)

Petitioners seek grant of anticipatory bail in a case registered vide FIR No.03 dated 07.02.2020 under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Vigilance Bureau Range Ferozepur, District Ferozepur.

On 03.06.2020, while advancing the date of hearing, this Court passed the following order:

“The case has been taken for hearing through video conference due to Covid-19 pandemic.

Present application has been filed for pre-poning the hearing of CRM-M No.10819 of 2020, which is pending for 17.07.2020.

Learned counsel for the applicant-petitioner argues that the delay in hearing of the petition filed by the petitioner is causing prejudice and therefore, the hearing of CRM-M No.10819 of 2020 is to be pre-poned to an earlier date.

Notice of the application.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of

petition, accepts notice on behalf of State of Punjab-non-applicant. Learned State counsel raises no objection for the grant of the prayer as made in the present application.

Keeping in view the facts mentioned in the application, especially when the learned State counsel has raised no objection for grant of the prayer for pre-poning CRM-M No.10819 of 2020, the application is allowed and CRM-M No.10819 of 2020 is pre-poned today for hearing.

Main Case

Learned counsel for the petitioners prays that she be granted an adjournment so as to file an affidavit that the land which has been returned back to the Government of India by the mutation sanctioned on 12.07.2019, is in the possession of the Government of India and no part of it is with the petitioners or to the alleged seller to whom it has been alleged to be sold as per allegations made in the FIR.

Adjourned to 17.06.2020.”

In compliance thereof, an affidavit has been filed by the petitioners in which it has been stated in Paras 6 & 7 that the possession of the disputed land is not with them and that the Central Government has taken possession of the property in question and mutation in this regard has been entered in the record. The affidavit is taken on record.

On the other hand, Mr. Sheokhand filed reply behalf of the State, which is taken on record. He does not dispute the contents of Paras 6 & 7 of the affidavit and submits that the land is in the name of the Central Government.

Thus, the issue addressed by the Coordinate Bench on 03.06.2020 stands satisfied. In view of the aforesaid position, in my opinion, it is a fit case for grant of anticipatory bail to the petitioners.

Accordingly, the present petition is accepted. In the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

17.06.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No