

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-19658-2020

DATE OF DECISION: 20.07.2020

MEGH RAJ GARG

... Petitioner (s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking cancellation of anticipatory bail granted to respondents No.2 and 3 by the order dated 04.07.2020.

Learned senior counsel for the petitioner contends that after the concession of anticipatory bail, respondents No.3 and 4 have not handed over the original documents to the investigating agency. Respondents No.3 and 4 are also misusing the concession of anticipatory bail and have threatened the petitioner.

Issue notice to the respondent.

At the asking of the Court, Ms. Bhavna Gupta, DAG, Punjab accepts notice on behalf of the respondent No.1. Learned State counsel, upon instructions from ASI Sukhwinder Singh, contends that no complaint has been received from the petitioner with regard to any threat having been made by the private respondents.

Heard through video conferencing.

The petitioner had lodged an FIR under Sections 419, 420, 465, 467, 468, 469, 470 and 471 IPC, registered at Police Station City Sangrur. It was alleged in the FIR that the land measuring 1 kanal 10 marlas was purchased jointly by the petitioner and the private respondents. It was

partitioned with mutual consent on 18.05.2017. They had appeared before the Tehsildar and mutation was sanctioned. However, respondent No.2 had filed a civil suit stating therein that no partition had taken place and his signatures on the documents regarding the partition were obtained fraudulently. It was also alleged by the petitioner that the family partition dated 04.03.2013, the stamp paper and other documents were also forged by the private respondents. The Additional Sessions Judge has also granted anticipatory bail to the private respondents after recording that the parties were having business relations and the dispute appears to be civil in nature especially when civil litigation between them is pending adjudication.

In view of the above, I do not find any illegality in the order of the trial Court granting bail to the private respondents. Insofar as the submissions of learned senior counsel for the petitioner that the private respondents are not handing over the original documents to investigating agency, the same is within the domain of the investigating agency and the complainant cannot have any grouse in this regard especially to seek cancellation of anticipatory bail to the complainant. There has been no complaint to the police by the petitioner with regard to any threat which he may have received.

Consequently, I do not find any merit in this petition and the same stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

20.07.2020.

SwarnjitS

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