

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

**CRM-M-22009-2020**  
**Date of decision: 07.08.2020**

**Ravinder Singh @ Jassi**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Onkar Singh, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Gurminder Singh, Advocate  
for the complainant.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioner prays for grant of anticipatory bail in FIR No. 97 dated 07.07.2020, registered under Sections 380, 447, 457 and 120-B of the IPC at Police Station Khanna City-2, District Ludhiana.

Learned counsel for the petitioner submits that it is the admitted case of the parties that there is a relationship of landlord and tenant between the complainant and father of the petitioner and in the year 2018, the complainant has shifted his business to another shop and in that respect, he has locked the shop in dispute and has put a notice that the business has been shifted to some other shop.

Learned counsel for the petitioner further submits that there is a delay of one day in registration of the FIR and the primary allegations in the FIR are that by breaking the lock of the shop in dispute, the petitioner has

removed the existing stock and wooden fittings.

Learned counsel further submits that in fact the FIR has been registered just to put pressure on the petitioner so that he could not claim the possession of the same in a legal manner.

Learned counsel for the petitioner further submits that to show this bona fide, the petitioner is ready to deposit an amount of Rs. 1,00,000/- with the Illaqua Magistrate/trial Court as surety which may be kept in an FDR, fetching highest returns, subject to final outcome of the case.

Learned State counsel has not disputed the factual position and submitted that the petitioner may be directed to join investigation in order to effect the recovery.

Learned counsel for the complainant submits that the complainant has shifted the business to his another shop in the year 2018, however, the shop in dispute was being used as a godown.

I have heard learned counsel for the parties.

Without commenting anything on the merits of the case, considering the fact that it is own case of the complainant that he has shifted his business to another shop in the year 2018 and he was using the shop in dispute only as a godown and also in view of the fact that there is a delay of one day in registration of the FIR though as per complainant's own version, he came to know about breaking of lock on the same day and also in view of the fact that there is no other case pending against the petitioner, the present petition is allowed.

The petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C. with

further conditions that:

- (a) the petitioner will deposit an amount of Rs. 1,00,000/- with the Illaqua Magistrate/trial Court within a period of 15 days from today, which will be kept in an FDR, fetching highest returns, subject to final outcome of the case and without any prejudice to the right of defence of the petitioner;
- (b) the petitioner will join investigation as and when he is called upon to do so after having been issued a written notice in this regard;
- (c) if the petitioner is found misusing the concession of anticipatory bail, it will be open for the complainant to apply for cancellation of the same.

**07.08.2020**

*Waseem Ansari*

**(ARVIND SINGH SANGWAN)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*