

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

CRM-M-33890-2020(O&M)

Date of decision: 28.10.2020

MUNISH AGGARWAL AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Bipin Ghai, Sr. Advocate with
Mr. Paras Talwar, Advocate for the petitioners
Ms. Samina Dhir, DAG, Punjab
Mr.Mansur Ali and
Mr. Imran Ali, Advocates for the complainant

ANIL KSHETARPAL, J. (ORAL)

On 21.10.2020, the following order was passed by this

Court:-

“The petitioners pray for grant of pre-arrest bail in a criminal case arising from FIR No.90 dated 24.8.2020 registered under Section 406, 420, 465, 467, 468, 471, 120-B IPC at Police Station Balongi, District SAS Nagar, Mohali.

It is the case of the prosecution that the petitioners and the first informant-Firm are owners of the adjoining lands. The first informant-Firm is developing a colony by including the land owned by the petitioners. It has been alleged that there was some agreement but the petitioners have failed to honour the same, although they have received a sum of Rs.1,05,00,000/-

Learned counsel for the petitioners contends that it is the first informant-Firm who is not ready and willing to perform its part of the contract. He further submits that the alleged thumb impression of Smt. Bimla Devi (mother of petitioner no.1) was put by the representative of the first informant-Firm and not by the petitioners. He further contends that ultimately petitioner no.1 and his father are Class I heirs of

share owned by Late Smt. Bimla Devi.

Notice of motion.

On the request of the Court, Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of the State of Punjab and prays for time to seek instructions.

Sh. Mansur Ali, Advocate puts in appearance on behalf of the first informant.

Adjourned to 28.10.2020.

Keeping in view the facts of the case, this Court is of the considered view that let the petitioners join investigation. In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Kashmira Singh, has submitted that the petitioners have joined investigation, cooperated and are not required for further custodial interrogation.

In view of the above, order dated 21.10.2020, is hereby made absolute.

The petition stands allowed.

28.10.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No