

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

CRM-M-31467-2019
Date of decision:5.2.2020

SATVIR SINGH AND ANOTHER

....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Mukesh Garg, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Tipudaman Singh Sidhu, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek grant of anticipatory bail in respect of FIR No.32 dated 9.6.2019 under Sections 323, 448, 379-B, 427, 506, 511, 148, 149 IPC, Police Station Ghagga, District Patiala (Punjab).
2. The allegations in nut-shell are that the complainant and other members of her family have been forcibly dispossessed from their house by the petitioners and that their household goods have also been taken away by them.

3. Learned counsel for the petitioners has submitted that the petitioners never forcibly dispossessed the complainant and others and in fact the house in question had been sold to wife of petitioner No.1 by complainant's father-in-law and it was pursuant to the said sale deed which was duly registered that the possession was handed over to the petitioners' family.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that in the present case not only the petitioners' used force to dispossess the complainant and other members of her family but even their articles have been taken away forcibly. It has further been submitted that premises in question had been given to the complainant's husband in an oral partition and that in these circumstances the complainant's father-in-law had no right to sell the property in question.
5. Learned State counsel has however informed that pursuant to interim directions issued by this Court, the petitioners have joined investigation.
6. I have considered rival submissions addressed before this Court. Keeping in view facts and circumstances of the case and while refraining from making any expression on merits of the case and while noticing that civil suit in respect of the validity of the sale deed in question is pending, this Court is of the opinion that it is not a case warranting custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 25.7.2019 by this Court are hereby made absolute subject to the condition that the petitioners would appear before

Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

5.2.2020
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No