

CRM-M-44287-2020 (O&M)
Date of Decision : 30.12.2020

Manpreet Singh @ Gora and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGANPresent :- Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

AVNEESH JHINGAN, J.(Oral)

The matter is taken up for hearing through video conference due to Covid-19 situation.

This is a petition under Section 438 of Cr.P.C. for grant of pre-arrest bail to the petitioner in FIR No.199, dated 22.12.2020, under Sections 379, 447, 511, 506, 148 and 149 of IPC, 1860, registered at Police Station Nehianwala, District Bathinda, Punjab.

From the FIR, it is forthcoming that the complainant and the accused are relatives, inheriting ancestral property. There is some dispute with regard to two marla plot. There are allegations of theft of 700 bricks collected on the said plot.

Learned counsel for the petitioners submits that it s a family dispute vis-à-vis ancestral property which resulted in the present FIR.

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab, appears on behalf of the State and accepts notice.

Learned counsel for the State opposes the prayer and submits that recovery of 700 bricks has to be made.

Considering the fact, the petitioners are granted pre-arrest bail subject to their joining investigation within one week from today.

In case the petitioners are arrested, they shall be released on bail on their furnishing adequate bail/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall join the investigation as and when called for. They shall also abide by the conditions as envisaged under Section 438 (2) of Cr.P.C.

The petition is allowed.

In case the petitioners fails to join the investigation within one week from today, the State shall be at liberty to move an application for recalling of this order.

(AVNEESH JHINGAN)
JUDGE

30.12.2020
Manpreet

Whether reasoned / speaking	Yes
Whether reportable	No