

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-47523-2019 (O&M)
Date of Decision:-27.1.2020

Jarnail Singh

... Petitioner

Versus

Surinder Pal

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Somesh Gupta, Advocate for the respondent.

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a private complaint i.e. Complaint No.COMI/13/2016 dated 21.3.2016 titled as 'Surinder Pal Versus Jarnail Singh', wherein the petitioner Jarnail Singh aged 74 years has been ordered to be summoned.
2. The allegations, in nutshell, are that the complainant was a tenant in shop under one Charan Singh but was forcibly dispossessed by the petitioner Jarnail Singh, who happens to be brother of the owner Charan Singh and although FIR was lodged but a cancellation report was prepared by the police. Subsequently, the present complaint was filed by the complainant in which the petitioner has been ordered to be summoned.

3. The learned counsel for the petitioner has submitted that since it is a case instituted on the basis of a private complainant, there is no case for detaining the petitioner in custody.
4. The learned counsel for the respondent/complainant has submitted that it is a case where the allegations are also to the effect that the accused had removed some articles from the shop in question and that since the same are yet to be recovered, no case for grant of bail is made out.
5. Having regard to the facts and circumstances of the case especially that the present case has been instituted on the basis of a private complainant, detention of the petitioner is not warranted.
6. The petition, as such, is accepted. The petitioner is directed to appear before the Trial Court. The Trial Court shall release the petitioner on bail subject to his furnishing bail bonds/surety bonds to its satisfaction. The Trial Court would be at liberty to impose any such condition as deemed appropriate for ensuring regular presence of the petitioner.

27.1.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No