

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

**CRM M-18433 of 2021 (O&M)
Date of Decision: May 26, 2021**

Gurpal Singh and anotherPetitioners
Versus
State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Vipin Mahajan, Advocate
for the petitioners.

Mr. J.S. Ghumman, DAG, Punjab.

Mr. K.S. Kahlon, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing due to outbreak of pandemic COVID-19.

Petitioners Gurpal Singh and Gurdev Singh are accused in case bearing FIR No. 29 dated 11.03.2021 under Sections 452, 427, 506, 379, 509, 279, 337, 148 and 149 IPC, Police Station City Batala, District Gurdaspur has come up in this first anticipatory bail application under Section 438 Cr.P.C.

Allegations against Gurpal Singh and Gurdev Singh

have been levelled by the complainant Happy Gill that he is running office in front of Sunny Hotel, Batala and had allowed Harpreet Gill to participate in the working of the office. It is alleged that on 04.02.2021 the accused side have ransacked the office leading to registration of the FIR.

Learned counsel for the petitioners *inter alia* has contended that petitioners happen to be one of the partners of the firm and has sought to place reliance on Form 'A' Annexure P-2 and Form C Annexure P-3 to substantiate his stand and argued that the complainant happens to be brother-in-law of the petitioner and there is property dispute which led to invocation of these criminal proceedings.

Learned State counsel Mr. J.S. Ghumman, DAG, Punjab assisted by Mr. K.S. Kahlon, Advocate could not displace the facts but has strongly opposed the grant of the bail on the grounds of seriousness of the allegations.

Be so as it may, apparently, the documentary evidence Annexures P-2 and P-3 bear out a prima facie case that Gural Singh happens to be one of the partners of this firm alongwith one Ajay Kumar and, thus, puts to doubt the very credentials and claim of the complainant that he runs the firm in question. In the light of the same joining the petitioners in investigation would suffice the purpose. Accordingly, the petitioners are directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified

copy of this order and on their doing so, they shall be released on bail to the satisfaction of the arresting/investing officer till submission of report under Section 173 Cr.P.C. (challan). The petitioners shall continue to join investigation and shall furnish an undertaking that they shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, they will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off, accordingly.

May 26, 2021

amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No