

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

**CRM-M-22093-2021
Date of decision: 02.11.2021**

Maninder Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Jivtesh Singh Nagi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.109, dated 26.06.2018, under Sections 447, 511, 427, 506, 452, 379, 148, 149 IPC, registered at Police Station Division 1, Jalandhar.

The operative part of the order dated 03.06.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“As per the prosecution version: Gursimran Singh Sondh (complainant), who is engaged in construction business (Sondh Builders and Developers Punjab Pvt. Ltd), is the owner of a land measuring 02 kanals 03 marlas comprised in specific khasra numbers. He had raised a restaurant and residential accommodation upon the said land for his staff. One Mohinder Singh (Proprietor of Indian Foundary Works) was also asserting his title over the said property. And after his death even his son Sukhwinder Singh @ Sunny in connivance with the petitioner (Maninder Singh) tried to take forcible possession of the said land. Preeti Devi wife of Lal Bahadur (Chowkidar), who lives along with her husband in a portion of the disputed property, telephonically informed the complainant that 10/12

persons had come at the spot with an intent to take possession of the disputed land and in the process broke the boundary wall and also removed the signboard of Sondh Builders. The complainant believes that Sukhwinder Singh @ Sunny and the petitioner along with their accomplices tried to take forcible possession and caused damage to his property. Learned counsel for the petitioner submits that apparently the implication of the petitioner is false. Name of the petitioner is not mentioned in the FIR. Further, even the main accused Sukhwinder Singh @ Sunny sonof Mohinder Singh, upon a representation moved by him pleading innocence and false implication, on an inquiry conducted by Assistant Commissioner of Police, Security, Jalandhar, was found to be innocent.

Notice of motion.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 03.06.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Avtar Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 03.06.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

02.11.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No