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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Decided on: 18.08.2021

1. CRM-M No. 23084 of 2021 (O&M)

Jagdeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M No. 23418 of 2021 (O&M)

Shavinder Pal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. M.S. Atwal, Advocate for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Ish Mahajan, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.31 dated 03.03.2021, registered under Sections 323, 342, 379, 506, 148, 149 and 120-B IPC at Police Station Model Town, Hoshiarpur, District Hoshiarpur.

Counsel for the petitioners has argued that as per the allegations in the FIR, registered at the instance of Gurpreet Kaur, her landlady is Kulwinder Kaur, who is an NRI, staying in abroad and had sent some persons to beat her. On the date of incident, Shavinder Pal Singh and Jagdeep Singh and some strangers came to her house, gave beatings, tied their hands and forcibly loaded the household articles in a

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trolley and took them away.

Counsel for the petitioners has further submitted that, in fact, the landlady, who is one of the accused is 82 years old and residing abroad. It is also submitted that the petitioners are the power of attorney holder and nephew of the landlady as a caretaker.

Counsel for the petitioners has also argued that the complainant Gurpreet Kaur has filed a civil suit against Davinder Kaur, in which vide order dated 27.09.2019, the stay was granted and later on, the same was vacated on 21.12.2020. It is further argued that he has a recording of the incident wherein a truck from the Police Station came to the house and a person by breaking the CCTV cameras has taken away the household articles and has dumped the same at the place of the petitioner and the same are lying unattended.

Lastly, it is argued that even a complaint was given to the State Commissioner for NRI, Chandigarh, to secure the property of the landlady in which certain directions have been issued.

Counsel for the State, on instructions from ASI Bakshish Singh, has not disputed the aforesaid fact and submits that the petitioners are no more required for further investigation.

Counsel for the complainant has, however, opposed the prayer for bail on the ground that the petitioners are trying to take forcible possession of the house and even now, they are extending threats to the complainant.

After hearing the counsel for the parties, considering the fact that the petitioners have joined the investigation and they are no more required for further investigation, these petitions are allowed and

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the interim bail granted to the petitioners, namely Jagdeep Singh and Shavinder Pal vide orders dated 15.06.2021 and dated 18.06.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

A photocopy of this order be placed on the file of other connected case.

(ARVIND SINGH SANGWAN)
JUDGE

18.08.2021
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No