

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

(Heard through VC)

(1)

CRM-M-20986 of 2020 (O&M)
Date of Decision: July 08, 2021

Sandeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

(2)

CRM-M-21002 of 2020 (O&M)

Santosh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. M.S. Sachdev, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG Punjab.

Mr. Ankur Bansal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

By this common order, this court shall dispose of above
captioned two petitions being arisen out of the same FIR.

These petitions have been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in the even to arrest in FIR No.105 dated 10.07.2020, under Sections 354-B, 323, 34 of the Indian Penal Code, registered at Police Station Maqsudan, District Jalandhar (Rural).

Learned counsel for the petitioners herein would contend that in terms of orders dated 30.07.2020, the petitioners have joined the investigation, which fact is not disputed by learned State counsel.

At this stage, learned counsel appearing on behalf of the complainant would contend that interim protection obtained on 30.07.2020 was under a false misrepresentation. In fact, there is no family dispute pending between the parties. It is submitted that complainant herein is the sister of Anita, who is married to Jasbir Singh and Jasbir Singh is the brother of Sandeep Kumar, one of the petitioners. It is argued that in fact there is nothing on record to show that there is any dispute pending between Daljit Kaur, the complainant and the petitioners herein.

In response to the arguments, learned counsel for the petitioners herein would contend that Sandeep Kumar and Jasbir Singh, both brothers were given 5 marlas of land each by their father, who subsequently decided that he would like to give some land to his two daughters as well and Jasbir Singh was asked to vacate a portion of land in order for the said land to be given to the two daughters namely Meena Kumari and Rajni Bala. The petitioner is supporting his father whereas, Jasbir Singh is in excess of land measuring 5 marlas. That is the property dispute which has arisen between the parties.

In view of the facts that the petitioners are not required for custodial interrogation and have joined the investigation, this court is inclined to confirm the interim bail allowed to the petitioners and rest would be matter of trial. As such, without commenting on the merits of the case, the petitions are allowed and orders dated 30.07.2020 granting interim bail to the petitioners are made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

July 08, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No