

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

**CRM-M-34480-2021
Date of decision: 23.11.2021**

Gulzar Singh & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Mohit Sadana, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.0156 dated 11.07.2020 registered under Sections 323, 324, 379, 148, 149 IPC at Police Station Lopoke, District Amritsar.

The operative part of the order dated 24.08.2021, vide which the petitioners have been granted interim bail, is reproduced below:

“Counsel for the petitioners has argued that as per the allegations in the FIR, the complainant alleged that he owns 25 acres of land, which is abutting the land of petitioner No.1. It is further stated that on 21.06.2020 at about 01:00 PM when the complainant was present on his land, he saw that petitioner No.2 along with his son Bachittar Singh, started removing the boundary line of the land, which was made with sand. When the complainant tried to stop them, they started arguing. Thereafter, the complainant left the place and in the evening, he went to borrow Rs.20,000/- from his friend and when he was leaving his house, he saw that on the village path, the petitioners were standing armed with dater and they gave

beatings to the complainant and they took away his mobile phone and Rs.20,000/- and thereafter, on raising the alarm, the complainant was saved by the villagers.

Counsel for the petitioners has further submitted that the whole story is improbable and if the complainant has a dispute with the petitioner with regard to the boundary line, he can avail his civil remedy by filing a civil suit. It is also submitted that the allegation of taking loan of Rs.20,000/- from the friend and then further allegations that the petitioners have snatched the same are without any basis as the petitioners want to just flare up the matter.

Notice of motion.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 24.08.2021, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Angrez Singh, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 24.08.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.11.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No