

202

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 51235 of 2019 (O&M)
Decided on: 13.08.2021

Jasmer Singh and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ravinder Bangar, Advocate
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Sandeep S. Majithia, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.0901 dated 23.08.2019, registered under Sections 323, 34, 379-A, 420, 506 IPC at Police Station Sadar Karnal, District Karnal.

Counsel for the petitioners has argued that as per the allegations in the FIR, registered at the instance of one Nanu Ram, it is stated that he has taken a shop and a house from the petitioner – Jasmer Singh against full and final payment of the agreement and later on, the petitioners along with 04 other persons came to the shop and gave beatings to his son and tried to take the possession of the shop and have also taken some things along with cash. Later, he has come to know that the house has already been given to 04 other persons against the payment. It is further submitted that it is admitted case of the parties that the civil suits are pending before the trial Court and by lodging of the present case, an effort is made to put pressure on the petitioners. It is also submitted that in pursuance to the order dated 02.12.2019, the petitioners have already joined the investigation.

CASE HEARD THROUGH VIDEO CONFERENCING

Counsel for the State, on instructions from ASI Umesh Kumar, has not disputed the factual position that the petitioners have joined the investigation and they are no more required for further investigation.

Counsel for the complainant, on the other hand, has argued that 03 civil suits are pending between the parties, in which the plaintiffs are the persons, who claimed that they have purchased the same property from the petitioner – Jasmer Singh. It is also submitted that the petitioners in order to create a ground has relied upon a complaint given to the Superintendent of Police against the Deputy Superintendent of Police, Sonu Narwal, on the pretext that he is related to the complainant and is trying to help them out. It is further argued that the complainant has no relation with the aforesaid Deputy Superintendent of Police and the same has been filed erroneously.

After hearing the counsel for the parties, considering the fact that the petitioners were granted the concession of interim bail way back on 02.12.2019 and a period of more than 01 year and 09 months has already been passed and there is no complaint against the petitioners, in the intervening period, that they have misused the concession of bail, this petition is allowed and the interim bail granted to the petitioners vide order dated 02.12.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

13.08.2021
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No