

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

205

CRM-M-4691-2022

Date of Decision : **August 29, 2022**

INDERJIT SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. H.P.S.Sandhu, Advocate
for the petitioner.

Mr. Amit Rana, Sr. Deputy A.G., Punjab.

Mr. G.S.Madan, Advocate
for the complainant.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.7 dated 31.8.2021 under Sections 448/420/465/467/468/471/511/506/120B IPC, registered at Police Station NRI, Ludhiana (Rural).

It has been submitted by the learned counsel for the petitioner that in pursuance of the order passed by this Court on 4.2.2022 whereby he was granted interim bail, the petitioner has already joined the investigation and he has fully cooperated with the investigation process. He further submitted that the dispute in the present case was pertaining to a marriage palace and the petitioner and the complainant were very close friends earlier and petitioner normally resides in Canada but thereafter the relationship turned sour and a dispute arose between the parties with

regard to dissolution deed regarding which a civil suit was also filed in which an interim order under Order 39 Rules 1 and 2 CPC was also passed and the parties were directed to maintain status quo and the present petitioner is defendant in the said suit. He submitted that it was only a civil dispute between the parties which has been given a criminal flavour. He further submitted that it is a case of no injury to anybody nor it is a case that the police has collected any kind of empty cartridges etc. but in order to pressurise the petitioner for entering into compromise, the present FIR was lodged. He further submitted that be that as it may, the petitioner has already joined the investigation and, therefore, the aforesaid order dated 4.2.2022 may be confirmed.

The learned State counsel on instructions from ASI Dilbag Singh has stated that it is correct that the petitioner in pursuance of the order passed by this Court on 4.2.2022 whereby he has been granted interim bail has joined the investigation. He has, however, submitted that the dissolution deed has not been recovered from the petitioner.

At this stage, the learned counsel for the petitioner has submitted that the dissolution deed itself is a subject matter of civil dispute and is in the Civil Court and, therefore, it cannot become a ground for denial of anticipatory bail to the petitioner.

Mr. G.S.Madan, Advocate has also appeared on behalf of the complainant.

On 4.2.2022, the complainant was granted liberty to file his affidavit before the next date of hearing. However, no such affidavit has been filed by the complainant. It is submitted by the learned counsel for

the complainant that the petitioner tried to take forcible possession of the marriage palace and has committed an offence and, therefore, his custodial investigation would be required.

I have heard the learned counsels for the parties.

In pursuance of the order passed by this Court on 4.2.2022 whereby the petitioner was granted interim bail, he has already joined the investigation as per the learned State counsel. So far as objection taken by him with regard to the document i.e. dissolution deed is concerned, the learned counsel for the petitioner has submitted that the same is already with the Civil Court where civil suit is pending and, therefore, the objection of the learned State counsel is not sustainable.

In view of the aforesaid position, the present petition is allowed and order dated 4.2.2022 is, hereby, made absolute.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

August 29, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No