

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

Sr. No.203

CRM-M-22868-2019

Date of decision: 03.02.2022

Parvinder Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. G.S. Kler, Advocate
for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. Jivitesh Singh Dosangh, Advocate,
for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.256 dated 18.10.2021 registered under Sections 406, 420 and 120-B IPC at Police Station Sohana, SAS Nagar, Mohali

On May 20, 2019, this Court had passed the following order:-

“The petitioner is seeking anticipatory bail in FIR No. 256 dated 18.10.2018, under Sections 406, 420 and 120-B of the Indian Penal Code, 1860 registered at Police Station Sohana, SAS Nagar, Mohali.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that he had executed a sale-deed for land measuring 5 kanals 15 marlas with the complainant Company in the year 2008 but the possession was not handed over to the Company and later a civil suit was filed by Naib Singh and another stating that they were owners in possession of the land which was decreed in their favour on 31.10.2015. He also contends that at the time of sale of the land in the year 2008, the petitioner was the owner of the land to the

extent of half share as legal heir of Ajmer Singh, which is reflected in the 'jamabandi' for the year 2004-05, a copy of which is annexed as Annexure P1. He further contends that at the time of execution of the sale-deed, there was no litigation with regard to the land in dispute. It was mentioned in the sale-deed itself that the ownership has been transferred but the possession remained with Naib Singh and another. He also contends that the petitioner is not involved in any other case of similar nature.

Issue notice to the respondents returnable on 18.07.2019

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C. ”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 20.05.2019, granting ad interim anticipatory bail to the petitioner is made absolute.

February 03, 2022

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(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No