

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

CRM-M-30270 of 2022(O&M)

Date of Decision: 20.12.2022

Bahadar Singh & Anr.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Sukhjit Singla, Advocate
For the petitioners.**

Mr. C.L. Pawar, Addl. AG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioners under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 38 dated 20.06.2022, registered under Sections 452, 448, 323, 427, 506, 511, 148 and 149 IPC at Police Station Sadar Kurali, District SAS Nagar.

The counsel for the petitioners submits that the petitioners are falsely implicated in the present case and that actually the husband of the complainant executed an agreement to sell his property with the petitioners and he received Rs.3 lakhs as earnest money on 03.06.2021 and thereafter another amount of Rs.10 lakhs was paid to the vendor on 16.06.2021 against proper receipt which was also scribed on the aforesaid agreement to sell and the copy of the same is Annexure P-2. That thereafter another agreement was executed on 18.11.2021 with petitioner No.2 with regard to same property and the entire sale consideration was paid and possession was delivered to the petitioners and copy of the said agreement is Annexure P-3.

The counsel for the petitioners further submits that to disturb the possession

of the petitioners, false FIR is got registered by the complainant alleging that the petitioners along with 7-8 other unknown persons armed with different weapons trespassed into the house of complainant and gave beatings to the complainant. The counsel for the petitioners further submits that the petitioners have joined the investigation with the police in the light of previous order of interim bail.

The present petition is contested by the counsel for the complainant, who submits that both the petitioners along with 7-8 unidentified persons trespassed into the house of complainant and caused injuries to her.

The State counsel, on instructions from ASI Gurnam Singh apprised the Court that both the petitioners have joined the investigation and are not required by the police for any further investigation or custodial interrogation.

Apparently, it appears to be a case of trespass and causing of simple injuries to the complainant with wooden stick. The petitioners who have joined the investigation are not required by the police for any further investigation.

In the light of the above, without commenting on the merits of the case, the instant petition is allowed and order of interim bail dated 15.07.2022 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

20.12.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No