

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

**CRM-M-38532-2021
Date of Decision: 23rd February, 2022**

Darshan Kaur and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Brijeshwar Singh Bhalla, Advocate,
for the petitioners.

Mr. Amit Mehta, Sr. Deputy Advocate General, Punjab.

Mr. Vijay Pal, Advocate,
for the complainant.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.

2. This is a petition seeking anticipatory bail in FIR No. 202, dated 21st August, 2021, under Sections 420 and 120-B IPC, registered at Police Station Gate Hakima, District Amritsar.

3. The following order was passed on 18th January, 2022:-

“ Heard through video conferencing.

The petitioners are seeking anticipatory bail in FIR No.202 dated 21.08.2021, under Sections 420 and 120-B IPC, registered at Police Station Gate Hakima, District Amritsar.

Learned counsel for the petitioners contends that the allegations are primarily against co-accused Harpreet Singh

and the petitioners have been arraigned as accused because petitioner No.1 is the wife of Harpreet Singh while petitioner No.2 is their son. The complainant himself had got an authority letter from Balwant Singh and thereafter, he entered into agreement to sell with co-accused Harpreet Singh. However, the sale deed could not be executed. He further contends that two civil suits with regard to the property, one filed by co-accused Harpreet Singh and another filed by the complainant-Sanjay Khanna are pending adjudication before the trial Court. Co-accused Harpreet Singh was arrested and has been released on regular bail.

Learned counsel for the complainant, however, contends that the property had been transferred in the name of the petitioners by co-accused Harpreet Singh.

List on 23.02.2022.

In the meantime, the petitioners are directed to appear before the investigating/arresting officer and join investigation. In the event of their arrest, the investigating/arresting officer shall release the petitioners on *ad interim* bail subject to their satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

4. Learned State counsel, on instructions from SI Varinder Kumar, submits that the petitioners have joined the investigation, however, a copy of the sale deed in favour of Darshan Kaur, executed by her husband, is needed.
5. Learned counsel for the petitioners, on instructions, submits that the petitioners will join investigation again and handover copy of the sale deed.
6. Mr. Vijay Pal, Advocate, learned counsel for the complainant, opposes the prayer and submits that the sale deed in favour of Darshan Kaur is required
7. As no custodial interrogation of the petitioners is needed, the interim bail granted on 18th January, 2022, is made absolute, subject to the

petitioners joining the investigation as and when called for and handing over copy of the sale deed in favour of Darshan Kaur.

(AVNEESH JHINGAN)
JUDGE

23rd February, 2022

P Kapoor

Whether Speaking/Reasoned: **YES/~~NO~~**
Whether Reportable: **~~YES~~/NO**