

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I) **CRM-M-39947-2021 (O&M)**
Date of Decision:- 10.1.2022

Surinder Kaur ... Petitioner

Versus

State of Punjab ... Respondent

(II) **CRM-M-41619-2021 (O&M)**

Mukhtiar Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen Bawa, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Jatinder Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Surinder Kaur and Mukhtiar Singh, seek grant of anticipatory bail in a case registered vide FIR No. 170, dated

7.9.2021, Police Station Kathu Nangal, District Amritsar, under Sections 457, 380, 427, 34 IPC.

2. At the time of issuance of notice of motion in CRM-M-39947-2021 the following order was passed on 24.9.2021:

“Learned counsel for the petitioner submits that the FIR is in fact an outcome of dispute between brothers on account of partition of joint properties and that in any case even if the allegations as levelled in the FIR are taken to be correct, still no heinous offence can be said to have been committed and that the dispute is only as regards installation of a solar system on the rooftop, which according to the accused, has been installed by the complainant on his share of property.

Notice of motion for 10.1.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Even in the other case i.e. CRM-M-41619-2021, this Court while issuing notice of motion ordered for grant of interim bail to the petitioner while directing him to join investigation vide order dated 5.10.2021.
4. Learned counsel for the petitioner has submitted that the matter infact is an outcome of a dispute between brothers on account of partition

of joint properties and that the petitioners have been falsely implicated in the present case.

5. Learned State counsel, upon instructions from ASI Jatinder Singh, has informed that pursuant to interim directions, the petitioners have joined investigation and are not required for any custodial interrogation. It has further been informed that the petitioners are not wanted in any other case.
6. Having regard to the aforestated position wherein the dispute in question is stated to have been arisen amongst the brothers and also while noticing that the petitioners have since joined investigation and are not required for custodial interrogation, both the petitions are accepted and the interim directions issued by this Court vide order dated 24.9.2021 and 5.10.2021 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
7. A photocopy of this order be placed on the file of each connected case.

10.1.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No