

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

(I) CRM-M-40495-2022 (O&M)

Lovepreet Singh Dass ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-40930-2022 (O&M)

Vikramjit Singh Dass ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 09.09.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Abhishek Arora, Advocate,
for the petitioner/s.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Sukhbir Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of aforesaid two petitions filed on behalf of Lovepreet Singh Dass and Vikramjit Singh Dass respectively, seeking grant of anticipatory bail in respect of a case registered vide FIR No.0128, dated 24.7.2022, Police Station Bhikhi, District Mansa, under Sections 406 and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion on 06.09.2022 in CRM-M-40495-2022, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0128, dated 24.7.2022, Police Station Bhikhi, District Mansa, under Sections 406 and 34 of Indian Penal Code.

The FIR was lodged at the instance of Sukhwinder Singh, wherein it is alleged that he belongs to Vairagi Sadh Karkun and the place of their ancestors (Guru) is situated at Thakur Dwar, Bhikhi, which is headed by Bhagwan Dass, whose ‘chela’ is Ram Kumar @ Kumar Dass and further ‘chela’ is Harbans Dass. It is alleged that Harbans Dass, in connivance with revenue officials, had transferred the property of ‘Thakur Dwar’ in the name of his sons namely Vikramjit Dass Bawa and Lovepreet Dass Bawa. It is alleged that Harbans Dass initially got a lease deed executed in the year 1999 in respect of 480 kanals of land in the name of Vikramjit Dass Bawa, Lovepreet Dass Bawa and Manjit Kaur (wife of Harbans Dass) and had infact received an amount of Rs.3 lakhs from the said accused. It is alleged that thereafter the said lessees were being shown as cultivators in the revenue record and later in the year 2017/2018, aforesaid Harbans Dass in connivance with the revenue officials got the said 780 kanals of land transferred in the name of his sons Vikramjit Dass Bawa and Lovepreet Dass Bawa vide a sale deed. It is also alleged that Harbans Dass even demolished the ‘Dera’ as existed there and constructed a residential house, hurting the sentiments of the entire community.

Learned counsel for the petitioner submitted that a false FIR has been lodged on account of some jealousy as the petitioner has been a well respected ‘chela’ at the ‘Dera’ in question. Learned counsel has further submitted that the entire land in question is presently in the name of ‘Dera’ and that the petitioner and other members of his family including Harbans Dass have no objection for canceling the alleged lease deed, which was executed for 99 years in the year 1999 in respect of 480 kanals of land.

Learned counsel for the petitioner has further submitted that, in any case, the petitioner, who is son of Harbans Dass, was aged barely 5 years in the year 1999, when the lease deed in question was executed. It

has also been submitted that co-accused Manjit Kaur i.e. mother of the petitioner has already been granted interim bail by this Court vide order dated 10.8.2022 passed in CRM-M-35617-2022.

Notice of motion for 9.9.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join 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.

To be heard alongwith CRM-M-35617-2022.”

3. In the connected case i.e. CRM-M-40930-2022, while issuing notice of motion on 08.09.2022, this Court granted interim directions in the same terms as passed in CRM-M-40495-2022.
4. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation and that they are not wanted in any other case. It has also been informed that lease of 480 kanals for 99 years has been got cancelled.
5. Having regard to the aforestated position, wherein the petitioners are stated to have joined investigation and are not required for any custodial interrogation and otherwise have a clean record, both the petitions are accepted and the interim directions issued by this Court vide orders dated 06.09.2022 in CRM-M-40495-2022 and 08.09.2022 in CRM-M-40930-2022 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.

6. A photocopy of this order be placed on the connected file.

09.09.2022
Vimal

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No

(GURVINDER SINGH GILL)
JUDGE