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

CRM-M-49820-2021

Date of decision : 25.03.2022

Gurmeet Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sahil Thakur, Advocate for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioners in FIR No.113 dated 21.09.2021 registered under Sections 436, 427, 149 of the Indian Penal Code, 1860 at Police Station Bhogpur, District Jalandhar.

On 29.11.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioners inter-alia contends that the petitioners have been falsely implicated in this case at the behest of the complainant for the reason that he has eyes on the Wakf property which is under lease and in possession of the petitioners; the FIR in question has been got lodged only to put pressure on the petitioners to vacate the aforesaid property as also as a counter blast to

the FIR lodged by the petitioners' maid in which she has complained of the complainant party having attacked her; the FIR in question has been lodged after an unexplained delay of nearly two months; in July 2021, through CRM-M-30385-2021 – Gurmeet Singh vs. State of Punjab, petitioner No.1 approached this Court seeking therein protection of his life and liberty at the hands of the complainant party in which petition this Court had issued notice and sought a reply from the State and that the petitioners are also ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Ms.Gunkirat Kaur, AAG Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 09.12.2021.

To be heard along with CRM-M-30385-2021.

In the meanwhile subject to the petitioners' joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of their arrest in FIR No.113, dated 21.09.2021, registered under Sections 436, 427, 149 IPC at Police Station Bhogpur, District Jalandhar, they shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

29.11.2021

Sd/- (Deepak Sibal)

Judge ”

Learned counsel for the petitioners has submitted that in pursuance of the abovesaid order dated 29.11.2021, the petitioners have joined the investigation.

Learned counsel for the State, on instructions from SI Paramjit Singh, has submitted that the petitioners have joined the investigation and

are not required for further custodial interrogation. He has further submitted that in the present case, the cancellation report is being prepared and the same is likely to be submitted before the Court in the near future.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 29.11.2021 and also the fact that the petitioners have joined the investigation and are not required for further custodial interrogation and the fact that cancellation report is being prepared and the same is likely to be submitted before the Court in the near future, the present petition is allowed and the interim order dated 29.11.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

25.03.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**