

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

CRM-M-53892-2021 (O&M)
Date of Decision:-11.7.2022

Narinderjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.
assisted by ASI Pargat Singh.

Mr. R.S. Chauhan, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.123 dated 7.12.2021 at Police Station Begowal, District Kapurthala, Punjab, under Sections 447 and 380 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 22.12.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in a case registered vide FIR No.123, dated

7.12.2021, Police Station Begowal, District Kapurthala, under Sections 447 and 380 IPC.

The FIR was lodged at the instance of Davinder Singh Bhullar wherein it is alleged that the petitioner had destroyed his crop from two and a half acre of land and has sown wheat crop therein and had also stolen away a motor, Tata Safari vehicle, drill and other agriculture implements.

Learned counsel for the petitioner submits that the complainant is none else but the real brother of the petitioner and that a dispute over land is pending between them and on account of which the instant FIR has been lodged to pressurize him.

Notice of motion for 10.5.2022.

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 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.

At this stage, Mr. Rai Singh Chauhan, Advocate with Ms. Deepika Chauhan, Advocate, have appeared on behalf of the complainant and filed power of attorney. The same is taken on record.

Since it is matter involving dispute amongst the brothers, both the parties i.e. the petitioner and the complainant are directed to appear before the Mediation and Conciliation Centre at Kapurthala on 17.1.2022.

The Secretary, DLSA, Kapurthala to do the needful for referring the parties to some Mediator.”

3. It has been informed that though the parties did appear before the Mediation and Conciliation Centre at Chandigarh but the matter could not be settled.

4. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. It has also been informed that the investigation already stands concluded and that a cancellation report has been prepared, which is yet to be presented in the Court.
5. In view of the aforestated position, wherein this Court finds that the petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 22.12.2021 are hereby made absolute, subject to the condition that the petitioner 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. Needless to mention, in case any cancellation report is presented before the Illaqa Magistrate, it shall be open to the complainant to oppose the same.

11.7.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No