

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.29845 of 2023
Date of decision: 13th September, 2023

Gurvir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. T.S. Grewal, Advocate for the petitioner.
Mr. Mohit Kapoor, Add. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.46 dated 07.04.2023 under Sections 420, 120-B IPC registered at Police Station City-1, Malerkotla, District Malerkotla, Punjab.

2. On the last date of hearing, i.e. 06.06.2023, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had stayed the arrest of the petitioner and the parties were relegated to the Mediation and Conciliation Centre of this Court to explore the possibility of an amicable settlement.

“Learned counsel for the petitioner inter alia contends that the civil dispute has been given criminal tinge and the petitioner, who is son of Surjit Singh, has been falsely implicated in the present case. He further submits that only

allegation against the petitioner in FIR is that he is also signatory to the agreement to sell dated 09.09.2021 being rightful son of Surjit Singh and has also signed authenticating the receipt of Rs.31 lakhs (Rs.15 lakhs through cheque and Rs.16 lakhs in cash) by Surjit Singh. He further submits that he is not the beneficiary. He further submits that civil litigation between complainants and Surjit Singh and Sukhpreet Kaur is pending in the Civil Court at Malerkotla (Annexure P-3). He further submits that in order to implicate all the relatives of Surjit Singh, he has been wrongly implicated in the present FIR. He further submits that co-accused, namely, Gagandeep Kaur and Harpal Singh have been granted ad interim anticipatory bail by this Court vide orders dated 16.05.2023 and 19.05.2023 passed in CRM-M-24958 of 2023 and CRM-M-25821 of 2023, which are pending for 13.09.2023. He further submits that petitioner is not involved in any other case and he is ready and willing to join the investigation.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 06.06.2023, the parties had appeared before the Mediation and Conciliation Centre of this Court and have arrived at an amicable settlement.

4. Learned State counsel, on instructions, does not dispute the submissions made by the counsel opposite. He submits that the dispute between the parties was pertaining to an agreement to sell, however, pursuant to the compromise effected between them, sale deed has also been executed yesterday, i.e. 12.09.2023. Learned State counsel, on

further instructions submits that the petitioner is not required for his custodial interrogation.

5. In the circumstances, it is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the Arresting/Investigating Officer. The petition stands allowed subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

September 13, 2023
rps

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