

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.40180 of 2020

Date of decision: 1st May, 2023

Dilpreet Singh Gill

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.K. Mehta, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

Ms. Prabhjot Kaur and Mr. Lovepreet S. Sidhu,
Advocates for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail in case bearing FIR No.42 dated 27.02.2020 under Sections 420, 467, 468, 471, 506, 120-B IPC registered at Police Station Rama Mandi, District Jalandhar.

Vide order dated 16.03.2023, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner inter alia contends that it is a case of false implication on account of a property dispute between the petitioner and his brother i.e. complainant Jitpreet Singh Gill. As per the allegations levelled in the FIR in question, the petitioner misused the power of attorney, which was given in his favour by the

complainant and thereafter sold off even those properties to co-accused Balbir Singh qua which he had not been authorized in the aforementioned power of attorney. The co-accused Balbir Singh after 2 years transferred the very same property in the name of sons of the petitioner. Learned counsel further submits that essentially it is a dispute of civil nature between the petitioner and his brother i.e. complainant for which a civil litigation was also instituted, however, it was a matter of record that the complainant lost those civil cases and the matter had attained finality in November, 2006. It was 10 years thereafter the petitioner for reasons but obvious filed the FIR in question by giving it a criminal colour. Learned counsel submits that the petitioner is ready to join investigation and willing to cooperate with the investigating agency.”

Learned counsel for the petitioner submits that in compliance of the order dated 16.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel assisted by learned counsel representing the complainant, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In the circumstances, the petition is allowed and the interim order dated 16.03.2023 is made absolute subject to the conditions laid

down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

May 1, 2023
rps

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