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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52679-2022

Date of Decision: 06.01.2023

Harkrishan Singh Walia

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. M.S. Uppal, Advocate, for the petitioner.

Mr. Karunesh Kaushal, Assistant Advocate General, Punjab.

Mr. Nimanyu Gautam, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.102 dated 08.08.2022, registered under Sections 427, 447, 380 IPC, at Police Station Maqsudan, District Jalandhar.

By virtue of the order dated 15.11.2022, while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation and fully cooperated. He has submitted that basically the dispute is over the land measuring 26 kanals. He submits that the actual dispute is between the complainant and his Taya Ji Surinder Singh and the petitioner has no role in the same. He has prayed for making the interim order as absolute.

Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner is *prima facie* made out.

Learned State counsel, on instructions from ASI Balkinder Singh, has affirmed the fact that the petitioner has joined the investigation. However, he submits that in all there are 6 accused, out of which two accused are on interim bail and co-accused Surinder Singh is also on interim bail.

After hearing learned counsel for the parties, the order dated 15.11.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

06.01.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No