

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

Date of Decision: 22.08.2023

1. CRM-M-53522-2022 (O&M)

SANJEEV KUMAR @ BUNTY ... PETITIONER

V/S

STATE OF PUNJAB ... RESPONDENT

2. CRM-M-54422-2022

GURJEET SINGH @ JONY ... PETITIONER

V/S

STATE OF PUNJAB ... RESPONDENT

3. CRM-M-55247-2022

MOHAN LAL @ KALE ... PETITIONER

V/S

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sahil Gupta and Mr. S.S.Rangi, Advocates
for the petitioner(s).
Ms. Ruchika Sabherwal, DAG Punjab.
Mr. N.S.Diwana, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

1. Petitioners are seeking anticipatory bail in case bearing FIR No. 446 dated 30.10.2022 under Sections 323, 354-B, 452, 506, 148, 149 IPC registered at Police Station Sohana, District SAS Nagar, Mohali.

2. Status reports by way of affidavit of Harsimran Singh Bal, Deputy Superintendent of Police (City-II), District SAS Nagar, on behalf of the State have been taken on record.

3. Learned counsel for the petitioners contend that the FIR has been registered on the allegations that on 28.10.2022, the petitioners along with two other co-accused committed trespass in the house of the complainant/victim, inflicted injuries upon her and also tore her clothes. It has been further submitted that the husband of the complainant had entered into sale of immovable property with Gurjeet Singh @ Jony-petitioner for a consideration of Rs. 75 Lakhs. On 17.10.2022, a sum of Rs. 5,00,000/- was paid as token money and the receipt was signed by the husband of the complainant as well as Gurjeet Singh @ Jony-petitioner. Besides, the other two petitioners namely Sanjeev Kumar @ Buntty and Mohan Lal @ Kale are the witnesses to the said receipt. The deal could not further materialize and on that score, the petitioners have been falsely implicated. Furthermore, the petitioners have joined the investigation and on conclusion of investigation, a cancellation report is being contemplated to be submitted in the Court.

4. Learned State counsel, on instructions from ASI Balwir Singh, submits that the cancellation report is being contemplated to be submitted in the concerned Court and furthermore, the petitioners have joined the investigation and their custodial interrogation is not required.

5. Learned counsel for the complainant has opposed the bail applications on the score that the petitioners are having criminal antecedents.

6. It is significant to note that the investigation agency is contemplating to submit the cancellation report in the Court in the instant case and furthermore, the petitioners have joined the investigation and their custodial interrogation is not required.

7. In these set of circumstances, the petitions stand allowed and it is directed that in the event of arrest, the petitioners be released on bail to the satisfaction of the arresting officer and this order shall be further subject to the condition that the petitioners abide by the conditions as stipulated under Section 438(2) of the Cr.P.C.

22.08.2023

Janki

(VIVEK PURI)
JUDGE

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