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

CRM-M-13341-2023 (O&M)

Date of Decision:- 15.10.2024

**BITTU GHUMMAN @ GURDEEP GHUMMAN @ HARCHARAN
SINGH @ GURJEET SINGH GHUMMAN @ GURCHARAN SINGH**

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Jai Vir Yadav, Senior Advocate with Mr. Gursimrat Sandhu,
Advocates for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

Mr. Manuj Nagrath, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Bittu Ghumman @ Gurdeep Ghumman @ Harcharan Singh @ Gurjeet Singh Ghumman @ Gurcharan Singh has filed instant petition under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.50 dated 17.02.2022 under Sections 420, 447, 448, 511, 120-B of IPC (Sections 467, 468, 471 IPC added later-on) registered at Police Station Division No.6, Ludhiana.

2. As per facts of the case, FIR was registered on the written complaint filed by Jatinder Kumar against present petitioner Bittu Ghumman, his son Akashdeep Singh Ghumman and other 10-12 associates. As per the facts, applicants and their family members purchased 922.5 square yards of land i.e. from Ranjit Kaur and Ravinder Kaur to the extent of 832.5 square yards and from Sharanjit Kaur to the extent of 90



square yards. Said land was bearing khasra No.1282, Khata No.438/653. They constructed their boundary wall by spending money and since then they were in peaceful possession of their property. On the day of occurrence i.e. 30.10.2020 at about 2 PM, Jatinder Kumar received call from the locality that accused persons were damaging their property by using labour and JCB machine. Applicant Jatinder Kumar informed co-owner Gurpreet Singh and they reached on the spot. They noticed that accused persons along with 5/7 musclemen and 4/5 labourers with the help of JCB machine were damaging the property. Applicants tried to stop them but they were restrained by the accused persons. They were not having any document of title in their favour. Matter was informed to Police Station Division No.6, Ludhiana. Said property is commercial in nature and they have caused damage of more than Rs.5 lakhs to the applicants. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that petitioner was granted concession of interim bail vide order dated 16.03.2023 and in pursuance of this, he has also joined the investigation. Co-accused Akashdeep Singh Ghumman was granted anticipatory bail by the Court of Additional Sessions Judge, Ludhiana vide order dated 21.04.2023. He is ready to abide by the terms of bail order and will cooperate with the Investigating Officer. Therefore, interim bail granted in his favour may be confirmed.

4. Status report is filed. Learned counsel representing State confirmed that petitioner has joined the investigation and he is not required for any other purpose.

5. I have considered the arguments and have gone through the record. Perusal of file shows that as per order dated 11.01.2024 passed by



Coordinate Bench, response was called from Secretary Revenue, Punjab regarding reconstruction of record of rights. In pursuance of this, status report has been received from Alaknanda Dayal, IAS, Secretary, Department of Revenue, Punjab, where it is assured that Department will take all possible steps to create and maintain record of rights as per law.

So far as anticipatory bail application of present petitioner is concerned, he has already joined the investigation. Co-accused Akashdeep Singh Ghumman has already been granted relief of anticipatory bail by the learned Additional Sessions Judge, Ludhiana vide order dated 21.04.2023. Present petitioner is ready to join the investigation as and when required. No purpose would be served by sending him behind the bars. So far as civil rights of the parties are concerned, those will be decided by the Civil Court.

6. Considering the aforesaid factual position, without expressing my mind on the merits of the case, anticipatory bail application filed by the petitioner is allowed. Ad-interim bail already granted in favour of petitioner vide order dated 16.03.2023 stands confirmed subject to the conditions detailed under Section 438 (2) Cr.P.C.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly.

15.10.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No