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

**CRM-M-18851-2024
Date of Decision : 22.10.2024**

RAMPAL

.....Petitioner(s)

VERSUS

STATE OF HARYANA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Satyawan Singh Nain, Advocate,
for the petitioner(s).

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. On 19.04.2024, a co-ordinate bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“The petitioner, aged more than 60 years, seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 296, dated 16.11.2022, Police Station Nigdhu, Karnal, District Karnal, under Sections 149, 420, 193, 195 and 120-B IPC.

The FIR was lodged at the instance of Bhateri @ Salochna daughter of Dharam Singh, wherein it is alleged that they are 8 brothers and sisters i.e. 5 sisters and 3 brothers. The complainant has stated therein that as per jamabandi for the year 2016-17 and 2021, she was owner to the extent of 9 kanals and 10 marlas of land situated in Village Sitamath, District Karnal and another 2 acres of land situated in Kirmach, District Kurukshetra, as is also recorded in jamabandi for the year 2017-18. The complainant has alleged that she was the 3rd child in the family and in fact the 3rd daughter and on account of which, due to a tradition she was named as Bhateri. It is stated therein that after marriage, her father-in-law changed her name to Salochna. It is also stated that in the Voter Card issued in the year 1994 her name is recorded as Bhateri and in her bank account No.3266008800103311,



Punjab National Bank, Kirmach which is a 25 years old account, her name is recorded as Salochna @ Bhateri Devi and that in Haryana Family Identity Card her name is recorded as Salochna Devi as is also recorded in her Aadhar Card and in another Punjab National bank Account at Kirmach. Complainant has stated that her father died in the year 2001 and her mother expired in the year 2007 and after death of his father mutation in respect of his property was mutated in favour of all the 8 brothers and sisters including the complainant Bhateri. It is alleged that her brothers Rampal, Ramphal and her sister Darshna Devi however, pressurized her to give away 1 acre of land from the land situated in Kirmach in favour of Darshan to which the complainant did not agree. It is further stated therein that complainant's sister Sukh Devi, Darshni and Kamlesh got their shares of land transferred in the name of complainant's 3 brothers namely Ramphal, Rampal and Mahavir and in respect of which mutation was sanctioned on 20.11.2017. Complainant has further alleged that on 07.07.2022 accused Rampal, Ramphal, Kelo Devi, Angrejo Devi and Sumit, tried to forcibly disposess her and in respect of which a complaint was lodged to the police. It is further stated therein that her brothers and sisters furnished a false affidavit wherein they declared that their sister Bhateri had died while at the age of 10-12 years, though, they very well knew that the complainant was alive.

Learned counsel for the petitioner submits that the petitioner had merely attested a transfer deed executed by complainant's sisters in favour of their brothers in the year 2017, in the capacity of Nambardar of the village whereas the affidavit in question which is now stated to be falsely furnished by the complainant's brothers and sisters came to be executed much later i.e. on 25.7.2022 and that under these circumstances it cannot be said that the petitioner who had merely attested the transfer deed in the year 2017 had any role to play or had any intention to deprive the complainant of her property. Learned counsel has further submitted that in any case, the property of complainant is still intact and has not been transferred in favour of anybody.

Notice of motion for 22.10.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.



3. In view of the above, the hereinabove extracted interim order dated 19.04.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

6. All pending application(s), if any, also stand **disposed** of accordingly.

October 22, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No