



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

CRM-M-28692-2024

DECIDED ON: 31.05.2024

RAJINDER KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Mr. Tanvir Joshi, Advocates and
Mr. Prabhdeep S. Bindra, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.69, dated 18.04.2024 (Annexure P-1), under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station City Muktsar, District Muktsar.

Learned Senior counsel for the petitioner submits that the question involved in the instant FIR qua change of property ID in the record of Municipal Council from UID No.B0301279 for a property situated at Abohar road, Raju Chicken Wali Gali, Sri Muktsar Sahib with that of UID No.B0300882 situated at Pandit Jai Dyal Street, Sri Muktsar Sahib against a plot measuring 802.88 square yards. Learned Senior counsel for the petitioner further informs the Court that civil litigation qua the title of the property in question is pending before the competent court which is yet to be adjudicated and, therefore, once the issue of title is pending with the Civil Court, lodging of the instant FIR is an abuse of process of law which has

been registered with an ulterior motive to use it as an arm-twist mode. He further submits that he has the instructions from his client that he is ready to forgo title over the property qua UID No.B0300882 and is also ready to retain the property bearing UID No.B0301279.

Notice of motion.

On the asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State and on the light of above statement made by learned senior counsel for the petitioner, does not oppose the present petition.

Considering the statement given by Mr. Ghai, learned Senior counsel for the petitioner on instructions from his client, this Court has no reason to decline the instant petition and directs the petitioner to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

(SANDEEP MOUDGIL)
JUDGE

31.05.2024
Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No