



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202 (3)

CRM-M-31585-2023
Decided on :20.05.2024

Munish Chopra

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Ms. Hargun Sandhu, Advocate and
Mr. Rishab Tiwari, Advocate
for the petitioner.

Mr. M. S. Longia, Addl. AG, Punjab with
Mr. T. P. S. Chawla, Sr. DAG, Punjab.

Mr. Vikas Bali, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

1. The present petition has been filed under Section 438 Cr.P.C.
for grant of pre-arrest bail to the petitioner in case FIR No. 84 dated
06.05.2023 under Sections 420 and 120-B of the Indian Penal Code, 1860
registered at Police Station Cantonment, Police Commissionerate
Amritsar.

2. On 05.07.2023, this Court was pleased to pass the following
order:-

*“Inter alia contends that the petitioner is neither the
seller nor a witness to the sale deeds which were executed
in the year 2014 in favour of family members of the
complainant by Raghbir Singh and Gurmej Singh. It is
further submitted that the sale deeds in question were*



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registered in the year 2014 and the present FIR has been registered after a period of nine years on the allegations that the land which was sold to the complainant party had a Government passage measuring 11 feet as per the revenue record. It is contended that instead of instituting any civil proceedings. even if the plea of the complainant was genuine, the complainant party has resorted to criminal proceedings on account of influence they have in the State of Punjab. It is further contended that co-accused of the petitioner had filed a petition for anticipatory bail i.e., CRM-M-28393-2023 and the Coordinate Bench of this Court was pleased to issue notice of motion and also granted interim protection vide order dated 02.06.2023 and the said case is now listed for 03.08.2023. It is stated that after the registration of the FIR, in violation of law laid down by Hon'ble the Supreme Court of India in Arnesh Kumar Vs. State of Bihar, reported as 2014(8) SCC 273, 15 police officials snoop around at the house of the petitioner in an illegal manner. It is further stated that a civil dispute is sought to be given a criminal colour.

Notice of motion for 03.08.2023.

In the meantime, the petitioner is directed to join the investigation on 11.07.2023 at 11:00 AM before the concerned Investigating Officer and in the event of his arrest, he shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall abide by the conditions as provided under Section 438(2) Cr.P.C.

To be heard along with CRM-M-28393-2023

05.07.2023”



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3. Learned counsel for the petitioner as well as counsel for the complainant have jointly submitted that the matter has been compromised and has prayed that the interim order granted in this case may be confirmed.

4. Learned State counsel, on instructions of ASI Palwinder Singh, has submitted that since the compromise has been effected between the parties and the petitioner has joined the investigation, the petitioner is not required for further custodial interrogation.

5. Keeping in view the abovesaid facts and circumstances, present petition is allowed and the interim order dated 05.07.2023 passed by this court is ordered to be made absolute.

(VIKAS BAHL)
JUDGE

20.05.2024

Mehak

Whether reasoned/speaking?

Whether reportable?

Yes/No~~Yes~~/No