



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-47367-2023 (O&M)
Date of Decision: 16.12.2024

MOHINDER PAL @ MAHINDER PAL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Vishal Sharma (Vasudeva), Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Munish Puri, Advocate
for the complainant.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.120 dated 02.09.2023 under Sections 354, 354-A, 354-B, 294, 509, 506 IPC registered at Police Station Division 2, District Pathankot.
2. The petitioner was directed to join the investigation, as per the order dated 20.09.2023 passed by the Coordinate Bench of this Court.
3. Learned counsel appearing on behalf of the respondent-State confirms that the petitioner has joined investigation and also contends that his further custodial interrogation is not required.
4. Considering the fact that the petitioner and the complainant are



senior citizens and they are neighbours, reference was made to the Mediation and Conciliation Centre and they were directed to appear before the District Legal Services Authority, Pathankot as per order dated 12.08.2024 passed by this Court.

5. As per the report dated 19.09.2024 received from Nodal officer, Mediation and Reconciliation Centre, Pathankot forwarded through the office of District and Sessions Judge, Pathankot, the matter could not be settled between the parties.

6. I have heard learned counsel for the parties and perused the paper-book.

7. While referring to report dated 21.10.2024 by way of short affidavit of Arashdeep Singh Lobana, Sub Divisional Magistrate, Pathankot, learned State counsel has informed that an application filed by the petitioner, which was addressed to Sub Divisional Magistrate, Pathankot, was received and it was sent to Station House Officer, Division No.2, Pathankot vide endorsement No.1030 dated 01.08.2022 for necessary action. It has also been pointed out that the petitioner had also sent an application to the Tehsildar, Pathankot seeking demarcation of the land bearing Khasra No.261(0-17), 264 (0-17) situated in village Saili, H.B. No.332, Tehsil and District Pathankot.

8. Apart from the present occurrence, as per document on record, the parties are also having dispute regarding demarcation of a property. The allegations and counter-allegations are matter of trial. Both the petitioner and the complainant are senior citizens and they are neighbours.

9. In view of the reasons recorded in the order dated 20.09.2023 and keeping in view the fact that the petitioner has joined investigation, his further



custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 20.09.2023, granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

10. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

11. Liberty is reserved in favour of the State/complainant to move for cancellation/recall of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

12. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

16.12.2024
P.Bhatt

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