



102/2 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-47462-2024

Date of Decision: 08.11.2024

Rachpal Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Supneet Singh, Advocate for
 Mr. Harmanpreet Singh, Advocate
 for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.Shekhawat J.

1. The petitioner has filed the present petition under Section 482 of the **B.N.S.S** with a prayer to grant anticipatory bail to him in case FIR No. 140, dated 24.05.2021, under Sections 419, 420, 467, 468, 471, 448, 511, 506, 148, 149 and 120-B of IPC, registered at Police Station Maqboolpura, District Police Commissionerate, Amritsar (Annexure P-1).

2. The FIR in the present case was registered on the basis of the statement made by Harbans Singh son of Sant Singh and the same has been reproduced below:-

“Statement of Harbans Singh S/o Sant Singh, R/o H. No. 11, Lawrence Road, Krishan Nagar, Amritsar, aged about 78 years mobile No. 9855205633. Stated that I am resident of abovementioned address and is working on a private job. In the year 1994, I and Avtar Singh S/o Karam Singh R/o Anand Avenue, Amritsar had purchased a land measuring 3182 sq. yds. on the GT



Road, Amritsar out of which, half share was on the name of my son Harwinder Singh and half share was in the name of Surjeet Kaur W/o Avtar Singh of which, khasra no. is 88,89,90,91 and the possession of that is with us since year, 1984. We have raised walls on the four sides of that plot and has put 2 gates on that. On 20.05.2021, Harwinder Singh S/o Harbans Singh R/o Ward no.6, Pandora and along with him Lakhwinder Kaur W/o Surjeet Singh R/o Partap Nagar, Tejinder Singh S/o Fakir Singh R/o Garden Enclave, Amritsar, Daljit Singh S/o Hardeep Singh R/o Umranangal, Wariam Singh S/o Gurmej Singh R/o Chattiwind, Baldev Singh S/o Gurmeet Singh and 5/6 unknown persons along with them opened the gate of our plot and tried to take possession of our plot. When I asked them, then above all persons ran from the spot after giving me threats of dire consequences. It is requested that appropriate legal action be taken against all these persons. Statement has been recorded and found to be true. SD/- Harbans Singh.

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor any averment in the FIR (Annexure P-1) which even remotely connects the petitioner with the commission of crime in any manner. Even, the FIR was got registered by the complainant after a delay of four days and still, no role was attributed to the petitioner. He further contends that in fact, the petitioner was wrongly declared as a proclaimed person vide order dated 07.01.2023 and vide order of even date, the order dated 07.01.2023, declaring the petitioner to be a proclaimed offender, has been quashed by this Court. He further contends that the petitioner has entered into a compromise with the complainant side and no useful purpose will be served by sending the



petitioner behind the bars.

4. On the other hand, learned State counsel also submitted that the matter has been amicably resolved between the parties.

5. Learned counsel appearing on behalf of the complainant also stated that the parties had resolved the disputes and he has no objection, in case, the present petition is allowed.

6. After hearing the learned counsel for the parties and perusing the record, this Court is of the considered opinion that the present petition is deserves to be allowed by this Court. In the present case, the parties have already compromised the matter and the custodial interrogation of the petitioner may not be required, at this stage.

9. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

08.11.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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