



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

1. CRM-M-48396-2024 (O&M)
Date of Decision: 23.05.2025

PARGAT SINGH ...Petitioner

V/S

STATE OF PUNJAB ...Respondent

2. CRM-M-50113-2024 (O&M)
Date of Decision: 23.05.2025

KULDEEP SINGH AND ANOTHER ...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER ...Respondents

3. CRM-M-62909-2024 (O&M)
Date of Decision: 23.05.2025

BALDEV SINGH ...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rakesh Gupta, Advocate
for the petitioner(s).

Mr. Sandeep Kumar, DAG Punjab.

Mr. A.S. Manaise, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. All these petitions are decided vide this common order as all the arising out of the same FIR.

2. The instant petitions have been filed under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail to the petitioner(s) in FIR No. 81 dated 10.08.2024 registered under Sections 380, 427, 447, 120-B of Indian Penal Code at Police Station Sadar Patti, District Tarn Taran.



3. On 27.09.2024, following order was passed in CRM-M-48396-2024:

“Petitioner – Pargat Singh aged about 70 years seeks grant of anticipatory bail in respect of a case registered vide FIR No.81, dated 10.8.2024 at Police Station Sadar Patti, District Tarn Taran, under Sections 380, 427, 447, 120-B of Indian Penal Code.

The FIR was lodged at the instance of Baby, wherein it is alleged that her husband Surjit Singh expired a couple of years back. It is alleged that since she was suffering from ‘black jaundice’ her inlaws’ family did not allow her to stay in her matrimonial and told her to get herself treated from her parental home and, as such, her treatment was going on at Amritsar. However, she alongwith her brother used to visit her matrimonial village occasionally. On 11.6.2024. Rachhpal Singh telephonically informed her that her brother-in-law Kuldeep Singh, father-in-law Pargat Singh, Baldev Singh and Aroor Singh mason had demolished her house and taken away household articles apart from bricks, girders, doors etc. It is further alleged that the household articles included iron wardrobe, cooler, sewing machine, washing machine, colour TV, refrigerator, 4 cots, 1 iron trunk containing 2 pairs of silver jewellery; 1 silver coin and gold weighing about 4-5 tollas and that the said articles had been taken away by loading the same on a tractor trolley. It is further the case of prosecution that during the course of investigation CCTV footage/video recording was collected showing that the articles were being loaded in a tractor trolley and were being removed from the premises in question.

Learned counsel for the petitioner submitted that the complainant had been residing away from her matrimonial home since the time when her husband had expired. It has been submitted that the entire matrimonial house had become dilapidated and, as such, had been demolished so as to raise fresh construction. Learned counsel for the petitioner, upon instructions from daughter of the petitioner namely Smt. Jasbir Kaur wife of Chamkaur Singh, who is present in the Court has stated that after the house is rebuilt the complainant shall be given a separate portion i.e. one room measuring atleast 14 x 14 feet as was existing earlier alongwith a kichler and a bathroom. It has also been stated by learned counsel

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for the petitioner that possession of all the articles, which were there in the room shall be restored to the complainant.

Learned counsel for the petitioner further submitted that as an ad-interim arrangement the petitioner shall also arrange for a rented accommodation for the complainant. It has also been submitted that the petitioner is also open for an amicable settlement with the complainant on some reasonable terms.

Notice of motion for 13.12.2024

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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

Since the petitioner's counsel has expressed possibility of an amicable settlement, the petitioner as well as the complainant shall appear before the Secretary, District Legal Services Authority, Gurdaspur (stated to be place of residence of the complainant) on 4.10.2024 at 10:00 A.M. The Secretary, DLSA, Gurdaspur shall refer the parties to some seasoned mediator to probe the possibility of some amicable settlement.

The complainant is ordered to be impleaded as a party. The amended memo of parties be filed in the Registry within a period of 4 days from today. Upon the same being filed, the complainant be served by ordinary process as well as by dasti process."

4. On 04.10.2024, following order was passed in CRM-M-50113-2024:

"Notice of motion for 13.12.2024.

To be heard with CRM-M-48396-2024.

Interim directions in same terms as passed in CRM-M-48396-2024."

5. On 13.12.2024, following order was passed in CRM-M-62909-2024:

"Notice of motion for 23.05.2025.



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To be heard with CRM-M-48396-2024.

Interim directions in same terms as was passed in CRM-M-48396-2024.”

6. Learned State counsel on instructions from ASI Gurmeet Singh, submits that in compliance of orders dated 27.09.2024, 04.10.2024 and 13.12.2024 passed by this Court, the petitioner(s) have joined the investigation and are not required for further custodial interrogation.

7. Learned counsel for the complainant, however, submits that despite best efforts, mediation proceedings between the private parties could not succeed.

8. Keeping in view the statement made by learned State Counsel the orders dated 27.09.2024, 04.10.2024 and 13.12.2024, are made absolute. The petitioners shall abide by the terms and conditions enumerated in Section 482(2) of BNSS, 2023.

9. The petitions are accordingly disposed of.

10. A photocopy of this order be placed on the files of other connected cases.

23.05.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>