

CRM-M-27152-2015

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

CRM-M-27152-2015

Date of decision: 10.09.2015

Davinder

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Y.D. Kaushik, Advocate,
for the petitioner.

Ms. Mahima, AAG, Haryana.

Mr. Harsh Chopra, Advocate,
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.382 dated 28.05.2015, under Sections 420, 467, 468, 471, 506 and 34 of Indian Penal Code, 1860, registered at Police Station City Ballabgarh, District Faridabad, Haryana.

While issuing notice of motion, following order was passed by this Court on 17.08.2015:-

“Learned counsel for the petitioner has submitted that the complainant is the mother of

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the petitioner. Complainant is in possession of the land in question.

Notice of motion for 10.09.2015.

In the meantime, in the event of arrest, petitioner be admitted to interim bail subject to the satisfaction of the Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

Learned State counsel who is assisted by Head Constable Rajesh Kumar has submitted that the petitioner has joined investigation and is not required for further investigation.

Learned counsel for the complainant, on the other hand, has opposed the petition and has submitted that the petitioner is threatening the complainant.

During the course of arguments, it has transpired that the complainant has filed a civil suit challenging the relinquishment deed in question.

Keeping in view the submission made by learned counsel for the petitioner and the fact that civil suit is already pending between the parties and the fact the petitioner has joined investigation and is not required for further investigation, it would be just and expedient to confirm the interim bail granted to the petitioner by this Court.

Accordingly, interim bail granted to the petitioner by

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this Court vide order dated 17.08.2015, is made absolute.

Petition stands disposed of accordingly.

September 10, 2015
kapil

(SABINA)
JUDGE