

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

CRM-M-32316-2015 (O&M)

Date of decision : 31.10.2015

Sohan Lal and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Manoj Kaushik, Advocate,
for the petitioners.

Mr. Arun Luthra, AAG, Haryana,
assisted by ASI Kuldeep Singh.

Ms. Vandana Sharma, Advocate,
for Mr. Rajesh Lamba, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner has approached this Court under Section 438 of the Code of Criminal Procedure (for short, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.455 dated 10.08.2015, registered under Sections 406, 420, 506, 120-B of the Indian Penal Code, registered at Police Station Central Faridabad, Distt. Faridabad.

The learned counsel for the petitioners disputes the veracity of the document in question i.e. the agreement to sell, and states that the same was never executed by the petitioners. In fact, the documents,

which were executed in the civil suit, Annexure P-4, between the petitioners and the villagers, have been misused by the complainant.

On the other hand, the learned State counsel, on instructions, submits that the original agreement and the recovery of the earnest amount is to be effected.

Petitioner No.1 is stated to be more than 85 years of age. Keeping in view the fact that the petitioners have repeatedly joined the investigation and seriously dispute the execution of the document in question stating that the same were executed in the civil suit, Annexure P-4, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 21.09.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

31.10.2015
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(JITENDRA CHAUHAN)
JUDGE