

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-43759 of 2014

Date of Decision: 5.5.2015

Arun Kumar and Another

... Petitioner(s)

Versus

State of Haryana and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Darshan Singh.

Present: Mr. Hitinder Singh Lalli, Advocate
for the petitioner(s).

Mr. Anmol Malik, Assistant Advocate
General, Haryana for respondent No.1.

Mr. Chander Shekhar Singhal, Advocate
for respondent No.2.

Darshan Singh, J.

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (hereinafter referred to as "Cr..P.C.") for seeking anticipatory bail to the petitioners in case FIR No. 488 dated 20.9.2013, registered under Sections 406, 420, 467, 468, 471 & 120-B of the Indian Penal Code, 1860 (hereinafter referred to as "IPC") at Police Station Ambala City, Haryana.

2. Learned counsel for the petitioners submits that the petitioners have made statement before the Civil Court for disposal of the civil suit filed by them and now the case is fixed for consideration on 6.5.2015. Learned counsel for the complainant has also stated at bar that he has verified from the complainant, who informed that the entire loan amount has already been cleared by the petitioners.

3. As per the prosecution allegations, the sale deed in favour of the petitioners has been executed on the basis of forged power of attorney of one of the sellers.

4. The petitioners were admitted to interim anticipatory bail by the Co-ordinate Bench of this Court vide order dated 22.12.2014. In the meanwhile, the settlement has also taken place between the parties. The complainant has also filed the civil suit at Ambala for setting aside those sale deeds. The petitioners have made statements for getting that suit decreed.

5. Learned State counsel, on the instructions from Assistant Sub Inspector Suresh Kumar, Police Station Economic Cell, Ambala City, has also informed that the petitioners have already joined the investigation and have been sufficiently interrogated. They are no longer required for custodial interrogation.

6. In view of the circumstances, the present petition is hereby allowed and the order dated 22.12.2014 granting interim pre-arrest bail to the petitioners is hereby made absolute. The petitioners shall, however join the investigation as and when called for and they will also abide by the conditions as specified under Section 438 (2) Cr.P.C.

(Darshan Singh)
Judge

May 5, 2015
"DK"