

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-7044 of 2015
Date of Decision: 24.9.2015.

Tharinderjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. H.P.S.Ishar, Advocate
for the petitioner.

Mr. R.P.S.Sidhu, AAG, Punjab.

SABINA, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No. 4 dated 7.2.2015 under Section 420, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station NRI Moga, District Moga.

While issuing notice of motion, following order was passed by this Court on 03.3.2015:-

“This is a petition under section 438 Cr.P.C seeking the benefit of anticipatory bail to the petitioner in case FIR No.4 dated 7.2.2015 under Sections 420, 465, 467, 468, 471, 120-B I.P.C registered at Police Station, NRI Moga, District Moga.

Counsel would argue that even as per contents of the F.I.R the agreement to sell for the plot in question had been entered into by the complainant with co-accused Vimal Rai on 12.2.2014. Still further, it was the

complainant's version himself that even the earnest money of Rs.15 lacs had been paid in cash to Rahul Rai son of co-accused Vimal Rai and that the present petitioner was not even present at the time of execution of agreement. Furthermore, the alleged deal had been facilitated at the hands of co-accused Vimal Rai only and who had proclaimed himself to be the owner of the plot.

Notice of motion, returnable for 3.7.2015.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel, who is assisted by Assistant Sub Inspector Jagtar Singh, has submitted that in terms of the above order, petitioner has joined investigation and is not required for further investigation.

Accordingly, interim bail granted by this Court to the petitioner vide order dated 03.3.2015, is made absolute.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

September 24, 2015
Gurpreet