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

CRM-M-9963 of 2015

Date of decision: September 03, 2015

Devender Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. G.P. Singh, Advocate
for the petitioner.

Ms. Mahima, AAG Haryana.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.253 dated 12.07.2013, under Sections 420, 406, 467, 468, 471, 120-B of Indian Penal Code, 1860, registered at Police Station Sushant Lok, Gurgaon.

While issuing notice of motion, following order was passed by this Court on 27.03.2015:-

“This is a petition under section 438 Cr.P.C seeking the benefit of anticipatory bail to the petitioner in case FIR No.253 dated 12.7.2013 under Sections 420, 406, 467, 468, 471, 120-B I.P.C registered at Police Station, Sushant Lok, Gurgaon.

Counsel would submit that the original owner of the plot in question was one Mrs. Nirmala and which had subsequently been sold to Amrish Sharma and to other vendors ultimately purchased back by Amrish Sharma. The present petitioner had thereafter purchased the plot from Amrish Sharma. The petitioner

then sold the plot to one Mr. Naresh Goyal. Thereafter, the wife of the petitioner had purchased the plot from Mr. Naresh Goyal and has thereafter sold the same to one Mr. Tyagi. The complainant in the present case has alleged that he was holding a G.P.A relating to the year 1997 from the original owner i.e. Mrs. Nirmala. It is contended that the original owner i.e. Mrs. Nirmala or for that matter Amrish Sharma from whom the petitioner had originally purchased the plot are nowhere in the picture. Even the original owner Mrs. Nirmala, who is alleged to have given a G.P.A in favour of the complainant namely Tek Chand Garg, has not come forth to raise any allegation.

Notice of motion, returnable for 28.5.2015.

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 Chandi Ram has submitted that petitioner has joined investigation and is not required for further investigation.

Accordingly, interim bail granted to the petitioner by this Court vide order dated 27.03.2015, is made absolute.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

September 03, 2015
mahavir