

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

**CRM-M-10389-2016
Date of decision-23.09.2016**

Raj Kumar

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

None for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

By filing this petition under Section 439(2) of the Code of Criminal Procedure, the petitioner seeks setting aside the impugned order dated 14.03.2016 passed by learned Additional Sessions Judge, Hisar, (Annexure P-5) whereby Darshana Kumari i.e. respondent No.2 had been granted concession of anticipatory bail in case FIR No.957 dated 06.11.2015 registered under Sections 420 and 506 of the Indian Penal Code at Police Station Civil Lines Hisar, District Hisar.

While passing impugned order (Annexure P-5), the learned Additional Sessions Judge observed that respondent No.2 obtained an amount of ₹10 lacs as earnest money for selling her residential house to the complainant/petitioner. However, the sale deed was not executed by respondent No.2. It was further observed by the Court below that the

criminal proceedings are not meant for recovery of amount. The respondent No.2 was granted bail subject to payment of ₹.1,50,000/- to be paid to the complainant.

The learned counsel for the petitioner has failed to refer to any evidence or circumstance on the basis of which it could be inferred that the respondent No.2 has misused the concession of bail.

No merit.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

September 23, 2016
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No