

CRM-M-17156-2016

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

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Date of Decision: 30.08.2016

Harnek Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Additional Advocate General, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.106 dated 17.08.2015, registered at Police Station Raipur Rani, District Panchkula, under Sections 406 and 420 of the Indian Penal Code.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, learned Additional Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per the case of prosecution, grievance of the petitioner is that after execution of the agreement to sell and receiving earnest money,

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sale deed was not executed, rather the complainant purchased the stamp papers of ₹40,000/- which were also taken away by the accused.

In view of the facts and circumstances of the present case, I find that case is mainly based on the documentary evidence. In pursuance of the interim order dated 18.05.2016 passed by this Court, the petitioner has already joined the investigation. He is now not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 18.05.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

30.08.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No