

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

**CRM No.M-1739 of 2016 (O&M)
Date of decision : 05.04.2016**

Ashwani Narang

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Ms. Monica Chawla, Advocate for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.126 dated 31.08.2015, under Sections 420/120-B IPC, registered at Police Station Gate Hakima, Amritsar City, District Amritsar.

While issuing notice of motion on 19.01.2016, the following order was passed by this Court:

“Petitioner seeks concession of pre-arrest bail in case FIR No.126 dated 31.08.2015, under Sections 420, 120-B of Indian Penal Code, registered at Police Station Gate Hakima, Amritsar City, District Amritsar.

Allegations against the present petitioner are that he was a broker pertaining to a real estate transaction and wherein valuable property was sold to the complainant even though the title of the same was not clear.

Counsel would, inter alia, contend that identical allegations were also raised against Pawan Kumar who was also a broker in the deal concerned and who has been granted concession of anticipatory bail by this Court in terms of order dated 30.10.2015 in CRM No. M-36336 of 2015 (Annexure

P-3). Counsel further submits that the main accused i.e. Baljit Kaur and Harinderjit Singh were arrested and thereafter have been granted benefit of regular bail by this Court in terms of order dated 07.10.2015 in CRM No. M-33783 of 2015.

Notice of motion, returnable for 05.04.2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/ 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 upon instructions from HC Sawinder Singh would apprise the Court that the petitioner has since joined investigation and no recovery is to be effected from him. That apart, the observations contained in the notice of motion order have gone un rebutted.

Accordingly, petition is allowed. Order dated 19.01.2016 passed by this Court is made absolute.

Disposed of.

05.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**