

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

**CRM-22103 of 2015 and
C.R.M-M No.19346 of 2015 (O&M)
Date of Decision : 02.08.2016**

Vishal Bansal @ Vicky Bansal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. G.S. Kaura, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

Mr. Charanpal Singh Bagri, Advocate
for respondents-applicants No.2 and 3.

AJAY TEWARI, J. (Oral)

CRM-22103 of 2015

This is an application for impleading the applicants as respondents No.2 and 3.

For the reasons recorded, the application is allowed. The applicants are impleaded as respondents No.2 and 3. Amended memo of parties is taken on record.

C.R.M-M No.19346 of 2015

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.90 dated 14.05.2015 registered under Sections 406/420/120-B IPC at Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

On 08.06.2015 the following order was passed:-

“Learned counsel for the petitioner has placed reliance upon the order passed by this Court on 4.6.2015 in CRM No.M-19097 of 2015 -- Mukesh Sharma V. State of Punjab, whereby the co-accused has been granted interim bail.

Notice of motion for 17.7.2015.

In the meantime, in case of arrest, the petitioner shall be released on furnishing of bail bonds to the satisfaction of the Arresting/Investigating Office. He shall appear before the Investigating Officer as and when called upon for further investigation. He shall also be bound by all the conditions as contained in Section 438 (2) Cr.P.C.”

The allegations against the petitioner are that he entered into an agreement to purchase about 10 acres of the land of the complainants and induced the complainants to execute sale deeds in favour of various persons but not only did not pay them the money but also befooled the

other purchasers by first showing that there would be a 40 feet wide passage and later selling that passage area also and also that in respect of one plot they have got executed two sale deeds. The petitioner had been released on interim bail by order dated 08.06.2015.

Learned Additional Advocate General on instructions from ASI Bakshish Singh states that huge recoveries have to be made from the petitioner while learned counsel for the petitioner states that though the allegations pertain to a period of 04 or 05 years ago no attempt was made to get those sale deeds cancelled by filing a civil suit.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 08.06.2015 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

02.08.2016
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No