

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

CRM-M-2137-2016 (O&M)

Date of decision : 26.07.2016

Rajesh Gupta

...Petitioner

Versus

The State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Karanvir Singh Khehar, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Rajesh Kumar.

Mr. Raghuvinder Singh, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail under Section 438 of the Code of Criminal Procedure, in case FIR No.206 dated 24.05.2014, registered under Section 420 of the Indian Penal Code, at P.S. Sarai Khawaja, District Faridabad.

Heard.

On 20.01.2016, the following order was passed:-

“Petitioner seeks concession of pre-arrest bail in case FIR No.206 dated 24.05.2014, under Section 420 of the Indian Penal Code, registered at Police Station Sarai Khawaja, District Faridabad.

Counsel appearing for the petitioner would, inter alia, contend that the complainant having entered into a Buyers Agreement would be strictly bound by the terms and conditions contained therein. It is further contended that the value of apartment as per Buyers Agreement

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authenticity of this document
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would be in terms of super area and not on carpet area and as such the allegations contained in the FIR are totally misconceived and unfounded.

Notice of motion, returnable for 06.04.2016.

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, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 20.01.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

26.07.2016
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(JITENDRA CHAUHAN)
JUDGE

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