

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

CRM-M No.2460 of 2015(O&M)

Date of Decision:-19.02.2016

Noora @ Farid.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Liaqat Ali, Advocate for the Petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
assisted by SI Narinder Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Noora @ Farid in case FIR No.433 dated 14.12.2013 for offences punishable under Sections 420 and 406 of Indian Penal Code registered with Police Station Farakpur, District Yamunanagar.

The complainant and the petitioner are known to each other and were engaged in vegetable business. The complainant alleges that the petitioner-accused had received a sum of Rs.6 lacs in front of certain witnesses for purchase of land in Sarsawa. Although concededly there is no written agreement.

Since neither the money was refunded nor any land existed

towards such purchase, FIR was lodged.

It transpires that a compromise had been effected between the parties whereby the petitioner-accused was to return the entire amount in installments. The petitioner-accused alleges that that he has paid a sum of Rs.2,40,000/- as per agreement Annexure P-1 whereas the complainant alleges that only Rs.75,000/- has been paid.

It is contended that the dispute is entirely of civil nature and the parties known to each other were transacting without any written documents or receipts. Thus no offence is made out.

Learned State Counsel assisted by SI Narinder Singh submits that although the petitioner has joined investigation twice, however, the recovery of the amount is yet to be effected.

Without commenting on the merits of the case, keeping in view the facts of the present case, the present petition is allowed and the interim protection/pre-arrest bail granted vide order dated 08th of May, 2015 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 19, 2016
Vinay