

CRM-M-25798-2016

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

CRM-M-25798-2016 (O & M)

Date of Decision: 10.08.2016

Aakash Verma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Nehra, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Addl. A. G. Haryana.

Mr. Vishal Goel, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Aakash Verma has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.464 dated 05.05.2016, registered at Police Station Sadar Gurgaon, under Sections 420, 406 and 120-B of the Indian Penal Code.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, Addl. A.G.Haryana has put in appearance on behalf of the respondent-State, Mr. Vishal Goel, Advocate has put in appearance on behalf of the complainant and contested this petition.

I have heard learned counsel for the petitioner and learned State counsel assisted by learned counsel for the complainant and gone through the record.

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From the record, I find that main allegation against the present petitioner is that he received amount of ₹73 lacs, however, not executed the sale deeds of two plots belonging to him.

At the time of arguments, it is admitted that cheques amounting to ₹50 lacs have already been bounced on their presentation and only ₹23 lacs remains. Learned counsel for the petitioner states that dispute between the parties is with regard to the breach of agreement and no civil suit has been filed so far.

Keeping in view the facts and circumstances of the present case and in view of the fact that main dispute is with regard to the breach of agreement, I find that no useful purpose would be served by sending the petitioner to custody. Otherwise also, the case is based on documentary evidence.

Without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and that no useful purpose will be served by sending the petitioner to custody, I find merit in the present petition and the same is allowed. It is ordered that in the event of arrest, petitioner be released on anticipatory bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

10.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No