

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

CRM-M -26104 of 2015 (O&M)
Date of decision: 11.08.2016

Satish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Naveen Batra, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Tilak Raj.

Mr. Tribhuwan Singla, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.96, dated 16.05.2015, registered under Sections 406, 420 and 120-B IPC, at Police Station Zirakpur, District SAS Nagar Mohali.

On 01.09.2015, this Court had passed the following order:-

“Counsel for the petitioner has stated that on the assurance given by the complainant, the petitioner had entered into an agreement to purchase land but the complainant backed out from the same.

Counsel for the complainant states that what the petitioner is offering is land which is not contiguous to the land owned by the complainant and this land is of no use to the complainant.

Counsel for the petitioner states that in case some interim protection is given to the petitioner, he will try and arrange land which is contiguous so that the purpose of the complainant can also be served.

Learned Addl. A.G Punjab has also accepted that in case the petitioner can get land for the complainant she would not object to the interim anticipatory bail being granted to the petitioner at this stage.

In the circumstances, I deem it appropriate to grant interim anticipatory bail for two months to the petitioner to enable him to arrange land which is contiguous for the complainant. Adjourned to 3.11.2015. Meanwhile, in the event of his arrest, the petitioner shall be released on interim anticipatory bail by the Investigating Officer subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.”

It is contended that in pursuance of the order dated 01.09.2015, the petitioner has arranged and offered the land which is contiguous to the land of the complainant. Three registered letters were also addressed to the complainant, Bhupinder Sharma, however, he has not come forward to take the possession of the land. In pursuance of the order passed, the petitioner has joined the investigation. The photocopy of three receipts along with letter is taken on record.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation.

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 01.09.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

11.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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