

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30425 of 2016

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Date of decision:27.10.2016

Maingal Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. A.S. Ahluwalia, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

Mr. J.P.S. Brar, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.104 dated 3.8.2016 registered
for the offence under Section 420 IPC at Police Station Talwandi Sabo,
District Bathinda.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has
put in appearance on behalf of the respondent-State and Mr. J.P.S. Brar,
learned Advocate appeared for the complainant and contested this petition.

I have heard learned counsel for the petitioner, learned
Assistant Advocate General, Punjab appearing for the respondent-State and
learned counsel for the complainant and have gone through the record.

From the record, I find that the case is based on documentary

evidence. A civil suit has already been filed in the present case. The main allegation is that though the petitioner entered into an agreement to sell but he has also mortgaged the property for ₹18 Lacs. The petitioner has already joined the investigation. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 31.8.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

October 27, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No