

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

CRM-M -30613 of 2016 (O&M)
Date of decision: 27.10.2016

Aman @ Amandeep Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rajbir Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Desraj.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.65 dated 22.04.2016, registered under Sections 406, 420 and 120-B of IPC, at Police Station Mulana, District Ambala.

On 01.09.2016, this Court had passed the following order:-

“Contends that the entire payment of Rupees one crore was paid to co-accused Kuldeep Singh, who has owned this amount in the statement made before this Court in CRM-M-29498-2016 on 26.08.2016 to the extent that he received the amount being owner of the subject property and is ready to execute the sale deed upon receipt of the balance amount. The petitioner is only a commission agent and not the beneficiary.

Notice of motion for 27.10.2016.

At the asking of the Court, Mr. Saurabh Mohunta, DAG,

Haryana, accepts notice. A complete copy of the paper book has been handed over to the learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:

- 1. That they shall make themselves available for interrogation by a police officer as and when required;*
- 2. That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That they shall not leave India without previous permission of the Court. ”*

It is contended that in the connected petition bearing number CRM-M-29498-2016, the vendee, Kuldeep Singh made a statement that he had accepted Rs.1 crore from the complainant and he is ready and willing to perform his part of contract. The proposal was accepted by learned counsel appearing on behalf of the complainant. In pursuance of the order dated 01.09.2016, the petitioners have joined the investigation

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are 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 01.09.2016, is made absolute, subject to furnishing bail

bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

27.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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