

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

CRM-M No.35327 of 2015

Date of Decision:-25.02.2016

Anand Kumar.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Preetinder Singh Ahluwalia, Advocate for the Petitioner.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana
assisted by Inspector Sukhwinder Singh.

Mr. Karanvir Nanda, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Principal Director controlling the affairs of the company on whose behalf the alleged cheating is alleged to have been committed with the investor/complainant has prayed for grant of anticipatory bail in case FIR No.292 dated 10.08.2015 for offences punishable under Sections 406, 420, 467, 468, 471, 506 and 120-B and 506 of Indian Penal Code and Section 3/32 of HPIDFE Act, 2014.

As per allegations in the FIR the private company engaged in the business of construction and sale of flats, has sold three flats to complainant without disclosing that the land upon which they are to be

constructed was under mortgage with the bank.

That this Court while issuing notice of motion and granting interim protection vide order dated 14.10.2015 had taken into account the readiness and willingness of the petitioner to amicably settle the claim of the complainant.

On the next date of hearing on 08.12.2015, the issue raised by the complainant regarding purchase of three flats stood resolved on the undertaking by the petitioner to refund a total sum of Rs.39 lacs to the complainant towards full and final settlement regarding the purchase of said three flats.

At the time of hearing today, learned Counsel for the complainant has been handed over the remaining amount of Rs.3,15,000/- by way of demand draft no.005847 dated 23.02.2016 of Bank of India and thus the entire Rs.39 lacs stands refunded to the complainant. He very graciously states that the entire claim of the complainant regarding the purchase of aforesaid three flats stands settled and relinquished.

Learned State Counsel assisted by Inspector Sukhwinder Singh submits that in view of the aforesaid stand, the custodial interrogation of the petitioner is no longer required.

In view of the above, interim protection/pre-arrest bail granted vide order dated 14th of October, 2015 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 25, 2016
Vinay