

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRM-M-5410-2016 (O&M).
Decided on: April 21, 2016.**

Rajesh Kumar

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

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CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.S.S.Sahu, Advocate, for the petitioner.
Mr.G.S.Salwara, DAG. Haryana.**

M.M.S. BEDI, J. (ORAL)

Petitioner is alleged to have made changes of Engine and Chassis number of the tractor purchased on loan from the complainant Cholamandalam Investment and Finance Company Limited and sold the same.

On asking of the Court, it has been informed that the tractor has already been taken in possession by the police as the petitioner after obtaining loan of the said tractor had sold the same to a third party.

I have considered the contention of the learned counsel for the petitioner that the petitioner has been paying all the installments as per schedule.

In view of totality of the above said circumstances, the liability of the petitioner appears to be a combination of civil and criminal liabilities. It will be debatable whether the petitioner could be said to have cheated the complainant. The petitioner has joined investigation.

The petition is allowed. Interim order dated 15.2.2016, is hereby made absolute subject to the conditions that the petitioner will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner.

**(M.M.S. BEDI)
JUDGE**

**April 21, 2016.
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