

**IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.**

TAPINDER SINGH MANN
20/04/2016 10:26

Cr. Misc. M 5753 of 2016
Date of decision: 11.4.2016

Rajesh Sharma

Petitioner

vs.

State of Haryana

Respondent

Present: Mr. RB Gupta, Advocate.
Mr. CS Bakshi, Addl.A.G. Haryana

M.M.S.BEDI,J.

The petitioner apprehends arrest in a case registered at the instance of Hukam Chand Saini alleging that the petitioner along with his brother-in-law Vipin Sharma had persuaded the complainant to enter into sale transaction on the basis of an agreement of sale and received a sum of Rs. 5.50 lacs by showing the agreement of sale dated 30.9.2014 to the complainant, claiming that he was General Power of Attorney holder, entitled to sell the land.

So far as the petitioner is concerned, he is an attesting witness to the agreement of sale dated 30.9.2014. A perusal of the record indicates that receipt of money by the petitioner on the basis of fraudulent manner will be a debatable issue during the course of trial. The main allegations are against co-accused Vipin Sharma.

On the instructions of ASI Gurcharan Singh, it has been informed that the petitioner has joined the investigation. The dispute between the parties appears to be a combination of civil and criminal liability. Custodial interrogation of the petitioner does not appear to be necessary.

Accordingly, the petition is allowed and it is ordered that in case of arrest of the petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the condition that he will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. The petitioner will not leave India without the permission of the court.

April 11 ,2016
TSM

(M.M.S.BEDI)
JUDGE