

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6688 of 2016 (O&M)

Date of Decision: 03.06.2016

Hari Om Gupta

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Deepender Brar, Advocate for the petitioner.

Mr. Vivek Saini, D.A.G., Haryana.

Mr. Yash Pal Malik, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.393 dated 25.9.2015 under sections 406, 420 I.P.C, registered at Police Station, City Gohana, District Sonapat.

On 15.3.2016, the following order was passed by this Court:-

“Allegations made by the complainant namely Kailash @ Guddi against the present petitioner are with regard to having duped her by getting a sale deed executed on 7.10.2014 in respect of a plot measuring 300 sq. yards and the sale consideration amount having not been paid.

Learned counsel appearing for the petitioner would inter alia argue that the allegations on the face of it are improbable. The sale deed has been placed on record at Annexure P-2 and which would in itself show that the sale consideration amount had been paid and even possession was delivered. It is further submitted that even mutation based on the sale deed was sanctioned in the month of December, 2014 and the allegations have now surfaced in the month of September, 2015.

List on 3.6.2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from S.I Suresh Chander would apprise the Court that the petitioner has since joined investigation.

That apart, counsel for the petitioner as also counsel for the complainant have stated in unison that a compromise/settlement has been effected.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 15.3.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.06.2016
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