

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

**CRM-M-11769-2016
Date of decision-27.01.2017**

Ashok Singla

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Puneet Jindal, Senior Advocate with
Mr. Varun Goyal, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana assisted by
SI Amarjit Singh.

Ms. Harsimrat Rai, DAG, Punjab.

Ms. Maninder Kaur, Advocate
for respondent No.3.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.203 dated 03.10.2015, registered under Sections 406, 420 and 120-B of Indian Penal Code at Police Station Sector-14, Panchkula.

On 05.04.2016, this Court had passed the following order:-

“Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Subhash Chander Batra alleging that complainant had paid a sum of Rs.15 lacs to the petitioner as earnest money on the basis of an agreement of sale dated February 2, 2014. The allegation against the petitioner is that he had received the earnest money despite the fact that he is not the owner of the flat which he had promised to sell to the complainant.

Counsel for the petitioner submits that the petitioner has got no previty of contract with the

complainant as the petitioner had sold a flat on the 9th floor of the building to Chhaju Ram who further sold the same to Manish Vohra. As a matter of fact it is Manish Vohra who has entered into a compromise with complainant.

Notice to Advocate General, Haryana, for a report regarding the material gathered regarding the culpability of the petitioner for June 1, 2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on April 9, 2016, April 23, 2016 and May 7, 2016 and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer.”

It is contended that in pursuance of the order dated 05.04.2016, the petitioner has joined the investigation. The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is 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 05.04.2016, 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.

(JITENDRA CHAUHAN)
JUDGE

January 27, 2017

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