

CRM-M-12076-2017

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

CRM-M-12076-2017

Date of Decision: 03.05.2017

Priya Arora and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Saurav Khurana, Advocate,
for the petitioners.

Mr. V.P.S.Sidhu, AAG, Punjab.

Mr. Sandeep S. Majithia, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Priya Arora and Sanjay Arora have filed this petition under Section 438 read with Section 482 Cr.P.C. for grant of anticipatory bail in case FIR No.293 dated 13.07.2016, registered at Police Station Civil Lines, District Amritsar, under Sections 420 and 120-B of the Indian Penal Code.

Notice of motion was issued. Learned State counsel has appeared on behalf of respondent-State and complainant also put in appearance through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

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From the record, I find that an agreement to sell was executed by the present petitioners with the complainant and Rs.5 lakhs were given as earnest money and some more amount was also given afterwards. However, it was found that the property in question is pledged to Magan Papers Limited, Sangrur. Later on, post-dated cheques were issued, which are stated to be dishonoured. Recovery suit and complaint for dishonouring of cheque have been filed.

In pursuance of the interim order dated 07.04.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Moreover, the case is based on documentary evidence. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 07.04.2017, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

03.05.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No