

CRM-M-19267-2017

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

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Date of Decision:27.07.2017

Nishan Singh and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jagraj Singh Khiva and
Mr. Hemraj Bhardwaj, Advocates,
for the petitioners.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioners-Nishan Singh, Gurlal Singh and Desh Raj have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.90 dated 01.05.2017, registered at Police Station Sadar Narwana, District Jind, under Sections 406, 420, 506 and 34 of the Indian Penal Code.

Notice of motion has been issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that as per the FIR, only allegation against the petitioners is that the complainant sold buffaloes amounting to

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₹28 lakhs to them and they paid only ₹7 lakhs to him, however, ₹21 lakhs were not paid to him.

In pursuance of the interim order dated 25.05.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. 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 25.05.2017, 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.

27.07.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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