

CRM-M-23717-2017

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

CRM-M-23717-2017

Date of Decision: 18.09.2017

Puran Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Lajpat Sharma, Advocate for
Mr. Parvesh Sachdeva, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Puran Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.129 dated 21.12.2016, registered at Police Station City Fazilka, District Fazilka, under Sections 420 and 406 of the Indian Penal Code.

Notice of motion was 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 petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, the

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present petitioner sold the land to the complainant in the year 2001, but mutation was not got sanctioned in the revenue records. In the year 2009, the petitioner obtained a loan of Rs.2 lakhs on the same land and thereafter a *Panchayat* was convened and the petitioner agreed to pay back the loan amount. However, the petitioner has not made the payment of loan amount so far. In the present case, the loan was obtained in the year 2009 whereas FIR has been registered in the year 2016.

In pursuance of the interim order dated 07.07.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner 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 07.07.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

18.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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