

CRM No.M-29105-2017

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-29105-2017
Date of Decision: 09.10.2017

Darshan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Param Preet Singh Brar, Advocate,
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

INDERJIT SINGH, J.(Oral)

Petitioner-Darshan 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.48 dated 19.04.2016, registered at Police Station Zira, District Ferozepur, under Sections 420 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel 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 an agreement to sell has been executed in this case. It is alleged that the present petitioner has taken Rs.25

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lakhs as earnest money and suit for specific performance is already pending. The case is mainly based on documentary evidence and looks to be of civil nature.

In pursuance of the interim order dated 10.08.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him 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 10.08.2017, 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.

09.10.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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