

CRM-M-3038-2017 (O &M)

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

CRM-M-3038-2017 (O &M)
Date of Decision: 25.07.2017

Karamjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Arman Midha, Advocate for
the petitioner.

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

Mr. Vipin Sharma, Advocate for
Mr. B.R.Rana-I, Advocate,
for the complainant.

INDERJIT SINGH, J.

CRM-22641-2017

Allowed as prayed for, subject to all just exceptions. Annexure
R-2 is taken on record.

CRM-M-3038-2017

Petitioner-Karamjit Singh has filed this petition under Section
438 Cr.P.C. for grant of anticipatory bail in case FIR No.201 dated
20.12.2016, registered at Police Station Doraha, District Khanna, under
Section 420 of the Indian Penal Code.

CRM-M-3038-2017 (O &M)

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared 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.

From the record, I find that FIR, in the present case, has been registered on the basis of complaint of complainant-Jasvir Singh. As per the FIR, the present petitioner entered into an agreement to sell with the complainant and ₹13 lakhs were paid as earnest money. As per the allegations, there was some encumbrance upon the land which at the time of arguments, has stated to be ₹9 lakhs. The total sale consideration was stated to be ₹32 lakhs. It is stated in the FIR that the accused has committed fraud by concealing the encumbrance/loan of ₹9 lakhs on the agricultural land.

In pursuance of the interim order dated 31.01.2017 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 the petitioner to custody. Otherwise also, the case is based on documentary evidence.

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 31.01.2017, granting interim bail to the petitioners, is made absolute. However, the petitioner shall join the

CRM-M-3038-2017 (O &M)

investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

25.07.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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