

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

Crl. Misc. No.M-30996 of 2017 (O&M)

Date of Decision: November 02, 2017

Sanjeev Manocha

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. A.D.S. Sukhija, Advocate
for the petitioner (s).

Mr. V.G. Jauhar, Sr. DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.130 dated 20.06.2017 registered for the offences punishable under Sections 406/420/120-B of IPC at Police Station City Kharar, District S.A.S. Nagar, Mohali.

Heard.

Learned State counsel submits that as per allegations in the FIR, the petitioner initially entered into an agreement to purchase two plots of complainant and later on he was given power of attorney in the year 2006 by complainant regarding those two plots. On the basis of these two power of attorneys, he sold both the plots through Baljit Singh and Parkash Chand in the year 2006. In the FIR, got recorded by complainant on 20.6.2016, she has levelled allegations that balance sale price, after adjusting the earnest money, was not paid by the petitioner. However, she has entered into an

agreement with one Baljit Singh and Parkash Chand regarding balance sale amount also.

The allegations of the complainant, even if be believed on the face of it, the fact to be seen is that she has involved two more persons in her deal and has approached the police after 11 years of the alleged sale by the petitioner. The Investigating Officer besides seeing the legal position had to look into agreement/compromise entered by her with Parkash Chand and Baljit Singh.

Keeping in view the fact that the petitioner had joined the investigation and his custodial interrogation is no more required in this case which is based on documentary evidence, this petition is allowed and the order dated 24.08.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

November 02, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No