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

CRM-M No.45758 of 2016

Date of Decision: 14.02.2017

RAHUL SAINI

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Ms. Geeta Sharma, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.354 dated 08.08.2016, registered under Sections 420, 406 IPC at Police Station Susant Lok, District Gurgaon.

As per the allegations made in the FIR, the overt act attributed to the petitioner is that he happens to be the brother of Isha Saini, to whom the alleged payment was made by the complainant. Repayment of amount was not made by Isha Saini despite demand and in turn she offered a property in her name to be transferred to the complainant. Complainant asked Isha Saini to transfer the property in the name of his friend Tumul

Bhardwaj. The alleged transfer was made on 07.01.2016, but ultimately it was found that Isha Saini had already sold the said property to one Maya Devi. Apparently, the mode of payment, capacity of the complainant to pay the amount and entrustment of the amount in question to the petitioner would be on debatable note.

Looking to the aforesaid circumstances, I am of the view that the petitioner has made out a case for the grant of anticipatory bail. So the petition for grant of anticipatory bail is accepted. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 20.02.2017 and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer 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 case so as to dissuade him from disclosing such facts to the Court or to any

police officer;

- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Petition stands disposed of.

February 14, 2017
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No