

CRM-M-5751-2017

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

CRM-M-5751-2017

Date of Decision: 15.03.2017

Mahender Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Keshav Pratap Singh, Advocate for
Mr. Shokeen Singh Verma, Advocate,
for the petitioner.

Mr. Parveen Aggarwal, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner-Mahender 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.36 dated 02.02.2017, registered at Police Station City Dadri, District Bhiwani, under Sections 406, 420 and 506 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.

CRM-M-5751-2017

From the record, I find that agreement to sell has been executed between the complainant and Sandeep, son of the present petitioner. The petitioner is only a witness to the document.

In pursuance of the interim order dated 21.02.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. 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 that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. The order dated 21.02.2017, 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.

15.03.2017

parveen/rajesh k. khurana

**(INDERJIT SINGH)
JUDGE**

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