

CRM-M-14234-2018

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

CRM-M-14234-2018

Date of Decision: 16.04.2018

Surjeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Munish Gupta, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Surjeet 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.158 dated 16.10.2017, registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, under Sections 420, 406 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel has 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 FIR, in the present case, has been registered on the basis of written complaint. As per the allegations, the

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petitioner had borrowed loan of ₹3,90,000/- in the year 2008 from the Housefed and qua that, entry was also made in the revenue record. As per the FIR, the petitioner has not made the Housefed as a party and obtained the orders from the concerned court with regard to execution of registry of his mortgaged land in favour of Amar Singh. The main allegations are that the petitioner concealed the material facts from the civil court. It is also mentioned in the FIR that application for review of the judgment of the civil court has been filed by the complainant.

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. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

16.04.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

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