

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

**CRM No.M-14264 of 2018 (O&M)
Date of Decision: December 21, 2018**

Ram Bihari

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Anhad S. Miglani, Advocate for
Mr.Abhilaksh Grover, Advocate
for the petitioner.

Mr.Tanuj Sharma, AAG, Haryana
for the respondent-State.

Mr.Kulbhushan Sharma, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.759 dated 01.08.2017 under Sections 406, 420, 447, 379, 506 and 120-B IPC, registered at Police Station Central Faridabad, District Faridabad.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per allegations in the FIR, present petitioner entered into an

agreement to sell with the complainant and one more other person and has

also gave power of attorney in favour of the complainant, which was later on cancelled and thus cheated the complainant, whereas, case of the petitioner is that there were money transactions between him and the complainant and he has already made complaint in the year 2016 prior to recording of the FIR but no action has been taken against the complainant, rather, FIR has been registered against him (petitioner).

It is in the complaint (Annexure P-2) that some blank papers have been obtained by the complainant under pressure on which the agreement to sell in question has been scribed. Otherwise also, the power of attorney has been got cancelled in the year 2015 and agreement to sell etc. was executed in the year 2013 but the FIR has been got registered on 01.08.2017.

The petitioner has already joined the investigation. He is not required for custodial interrogation. The case is based on documentary evidence. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 15.05.2018 granting interim bail to the petitioner, is made absolute.

December 21, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No