

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

**CRM-M-15439-2018
Date of decision: 25.10.2018**

Vikas Chahal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Yowan Sharma, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 14 dated 27.01.2018, under Sections 406, 420 and 120-B of the IPC, registered at Police Station Sohana, District S.A.S. Nagar (Mohali).

The operative part of the order dated 24.04.218, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has submitted that as per the allegation in the FIR, 03 persons namely Rohit Atri, Gaurav Chopra and the petitioner – Vikas Chahal have allegedly cheated the complainant – Shanti Nath, Manu Kohli and Gaurav Kansal by way of entering into 03 different agreements of sale regarding the property bearing No.5072, I.T. City, Sector 101/A, S.A.S. Nagar, Mohali. It is further submitted that admittedly as per the record of GMADA, the said plot was allotted in the name of co-accused – Rohit Atri and the complainants on the basis of 02 agreements, one entered into by Rohit Atri with Shanti Nath have failed to abide by the same and failed

to get the sale deed executed. It is further submitted that as per the complainant – Manu Kohli, the petitioner – Vikas Chahal has also entered into an agreement on behalf of Rohit Atri for the same property. It is, thus, submitted that the matter is of civil nature and the same is given the colour of criminal litigation. Counsel for the State, on instructions from ASI Sanjay assisted with counsel for the complainant has not disputed the factual position and submits that the petitioner be directed to join the investigation and appear before the Investigating Officer and submit all the relevant documents. List again on 04.07.2018.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 24.04.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation. It is further submitted that even the matter stands compromised between the parties and a petition bearing **CRM-M-47211-2018** has already been filed seeking quashing of FIR on the basis of the compromise.

Learned counsel for the State, on instructions from SI Harbinder Singh, has not disputed the factual position.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 24.04.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

October 25, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No