

CRM-M-19985-2018

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

CRM-M-19985-2018

Date of Decision:05.07.2018

Rajbir Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.A.Sheoran, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner-Rajbir 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.89 dated 28.03.2018, registered at Police Station Bawani Khera, District Bhiwani, under Sections 120-B, 420, 467, 468 and 471 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.

As per the prosecution version, the petitioner had obtained a

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marlas and had furnished jamabandi for the year 2008-2009 which pertains to the entire 148 kanals of land, whereas, the petitioner had already sold 8 kanals of land in the year 2010. Perusal of the record shows that 140 kanals of land still stand mortgaged with the bank which is sufficient to discharge the liability.

In pursuance of the interim order dated 11.05.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Otherwise also, case is based on documentary evidence. Therefore, no useful purpose will be served by sending the petitioner to custody.

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 merit in this petition and the same is allowed. The order dated 11.05.2018, 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.

05.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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