

CRM-M-24352-2018

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

CRM-M-24352-2018

Date of Decision: 03.07.2018

Prem Chand Chauhan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sandeep Kotla, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Mukesh Rao, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Prem Chand Chauhan 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.282 dated 21.05.2018, registered at Police Station Civil Lines, District Hisar, 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 complainant also appeared through his counsel.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

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As per the case of prosecution, despite entering into an agreement to sell, the petitioner took loan from the bank and cheated the complainant etc. There is mention of loan in the agreement of sale itself and further there is no document at this stage to show that second loan has been taken by the present petitioner.

In pursuance of the interim order dated 01.06.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him 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 01.06.2018, 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.

03.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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