

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

CRM No.M-29179 of 2018 (O&M)

Date of Decision: July 27, 2018

Ram Parshad

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rakesh Bakshi, Advocate
for the petitioner.

Mr.B.S.Virk, DAG, Haryana
for the respondent-State.

Mr.Sunil K. Tandon, 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.152 dated 18.06.2018 under Sections 420, 406 and 506 IPC, registered at Police Station Chhappar, District Yamuna Nagar.

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 the allegations in the FIR, present petitioner is only

witness to the agreement to sell. It is not the case of the complainant that

anybody has impersonated or present petitioner has identified any wrong person. The only allegation is that the vendor was not the owner of the property in question.

It has been brought to the notice of this Court that sale deed has already been executed between the parties and present petitioner was not witness to that sale deed.

The petitioner has already joined the investigation. He is not required for investigation or custodial interrogation. Nothing is to be recovered from him. 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 16.07.2018 granting interim bail to the petitioner, is made absolute.

July 27, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No