

CRM-M-30298-2018

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

CRM-M-30298-2018

Date of Decision: 28.09.2018

Ravi Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Singh, Advocate,
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner 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.152 dated 18.06.2018, registered at Police Station Chhappar, Yamuna Nagar, under Sections 420, 406 and 506 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has 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 gone through the record.

From the record, I find that FIR, in the present case, has been registered on the basis of complaint made by complainant-Rani Devi. As per the main allegations in the FIR, an agreement to sell was executed by

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Chamela Ram; an amount of ₹5,53,000/- was received and sale deed was also executed. As per the allegations, Chamela Ram was not the owner of the property and possession of the same was not delivered. The present petitioner is stated to be a witness to the agreement to sell.

In pursuance of the interim order dated 19.09.2018 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. The 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 19.09.2018, 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.

28.09.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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