

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-31915-2018

Date of Decision: 10.09.2018

Kuldeep Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Shubhankar Baweja, Advocate for the petitioner.

Mr. B.S. Virk, DAG, Haryana for respondent(s)-State.

...

Inderjit Singh, J.

Petitioner Kuldeep Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.307 dated 18.07.2018, registered at Police Station Kurukshetra University Kurukshetra, District Kurukshetra, under Sections 406 and 420 of Indian Penal Code and Sections 10 and 24 of Immigration Act.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of 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.

From the record, I find that the FIR in the present case has been got registered by complainant-Usha Rani wife of Rajender Kumar on the allegation that the present petitioner along with co-accused had taken ₹3 lacs from her for sending her son to abroad.

Learned counsel for the petitioner submitted that a civil suit has

already been filed by present petitioner Kuldeep Singh against the husband of the complainant and other person for specific performance of agreement to sell and after filing of this suit, wherein interim relief of injunction was granted, this false FIR has been registered against him.

In pursuance of the interim order dated 27.07.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would 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 27.07.2018, 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.

10.09.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No