

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.39755 of 2018
Decided on: 20.12.2018

Yasin

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. J.S. Mehndiratta, Advocate
for the petitioner.

Mr. Surinder Singh, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.973 dated 18.08.2018, registered under Sections 406, 420 and 506 of the Indian Penal Code (in short 'IPC') at Police Station Jagadhri City, District Yamuna Nagar.

The operative part of the order dated 11.09.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that the dispute arises out of an agreement to sell between the parties and as per the allegations in the FIR, the petitioner has received a sum of ₹2,90,000/-. Learned counsel for the petitioner further submits that the FIR in question has been registered on the premise that the petitioner has been unable to perform his part of agreement as he is not having the clear title of the land because the petitioner has set up an agreement to sell dated 12.12.2015 (Annexure P-2) with one Smt. Bimla Devi, on the basis of which, he has

allegedly entered into agreement to sell with the present complainant Asmita Devi.

Learned counsel for the petitioner further submits that the petitioner is ready to settle the dispute and pay back the said amount to the complainant and to show his bona fide, the petitioner is ready to deposit a sum of ₹1,00,000/- within a period of fifteen days before the Illaqa Magistrate and he will deposit the balance amount of ₹1,90,000/- within a period of two months thereafter.

Notice of motion for 22.11.2018....”

Counsel for the petitioner has submitted that, in pursuance to the orders dated 11.09.2018 and 22.11.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation as well as deposited the amount.

Counsel for the State, on instructions from ASI Nirmal Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 11.09.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

The trial Court is directed to keep the amount, so deposited by the petitioner, in the shape of FDRs, subject to final outcome of the trial.

(ARVIND SINGH SANGWAN)
JUDGE

20.12.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No