

CRM-M-46796-2017

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

CRM-M-46796-2017

Date of Decision:08.08.2018

Jamna Ram

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.S.Nain, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. S.S.Dhuhan, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner-Jamna Ram 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.881 dated 14.10.2017, registered at Police Station City Jind, District Jind, 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 respondent No.1-State and complainant also appeared through her counsel. They contested this petition.

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

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From the record, I find that as per the FIR, the present petitioner entered into an agreement to sell with complainant-respondent No.2 and received whole consideration amount, but did not execute the sale deed. Suit for specific performance is already pending. The case is based on documentary evidence and looks like of civil nature. The petitioner is now not required for custodial interrogation. 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 08.12.2017, 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.

08.08.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

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