

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

CRM-M No.48501 of 2017

Date of Decision : 10.01.2018

Satyawan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. N.C. Kinra, Advocate
for the petitioner.

Mr. Manish Bansal, Dy. Advocate General, Haryana
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure seeking anticipatory bail on behalf of the petitioner in case FIR No.196 dated 24th September, 2017, registered under Sections 120-B, 420, 467, 468, 471 and 506 of the Indian Penal Code at Police Station Kosli, District Rewari.

Mr. V.P. Sangwan, Advocate has put in appearance on behalf of the complainant and filed his Vakalatnama today in the Court; Be kept on record.

Perused FIR and the material available in the Case Diary.

There are certain assertions in the FIR against Hemant @ Dhillu stated to be son of the vendor, who has denied having

executed the sale agreement.

In this view of the matter the affidavit of the aforesaid Hemant @ Dhillu as available in the Case Diary directly contradicts the complainant's allegations in the FIR to the effect that the said Hemant @ Dhillu had also admitted that the thumb-impression on the agreement was actually that of his mother.

In the circumstances, it is not clear what purpose custodial interrogation of the petitioner will serve at this stage when the Investigating Authorities have not even obtained a sample Thumb-Impression of the alleged vendor for the purpose of examination by an Expert.

Considering the overall circumstances, therefore the present petitioner namely Satyawar, in the event of arrest, is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438(2) Cr.P.C.. Thereafter, the petitioner will be permitted to furnish bail bonds to the satisfaction of the Ld. Trial Court.

Disposed off.

January 10, 2018

Dpr

(SUDIP AHLUWALIA)
JUDGE

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