

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

CRM No.M-9599 of 2018 (O&M)

Date of Decision: August 08, 2018

Mukesh Kumar alias Mukesh Bansal

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.H.S.Brar, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

Mr.S.P.S.Sidhu, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.75 dated 27.05.2016 under Sections 420 and 34 IPC, registered at Police Station Canal Colony, Bathinda.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per prosecution version, petitioner is not named in the FIR

nor any allegation is levelled against him. Learned State counsel contended

that in a subsequent enquiry, it has come in the investigation that present petitioner was attorney of Fateh Singh and had got executed the sale deed dated 13.09.2006, where it was mentioned that possession was delivered as per the terms of sale deed but as per allegation, the possession was not given.

The petitioner has already joined the investigation. He is not required for investigation or custodial interrogation. The case is based on documentary evidence. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 07.03.2018 granting interim bail to the petitioner, is made absolute.

August 08, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No