

206-A

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

C.R.M-M No.6138 of 2019 (O&M)

Date of Decision : 27.05.2019

Subhash Poonia

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Gourav Jain, Advocate
for the petitioner.

Mr. Surinder Singh, A.A.G., Haryana.

Mr. Jitender Malik, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

Prayer in the present petition filed under Section 438 of the Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.23 dated 14.01.2019 registered under Sections 420, 406, 506, 120-B IPC at Police Station City Fatehabad, District Fatehabad.

The dispute is with regard to property which was agreed to be sold by the petitioner. It is not disputed that the possession of the property is with the complainant and rather he has made some construction also. It is the case of the complainant that the petitioner had taken an amount of Rs.40 lakhs from him.

In my opinion, it would be appropriate if the petitioner create a

fixed deposit of Rs.20 lakhs in any nationalized bank within a period of three months. That fixed deposit he will hand over to the investigating officer for safe custody and the party who become successful would be entitled to get the same. In the circumstances, let the petitioner appear before the investigating officer on 10.06.2019 and on any other date as and when their presence is required, who shall release him on interim bail subject to the conditions as envisaged under Section 438(2) Cr.P.C. till 26.08.2019, by which date he will hand over a fixed deposit of Rs.20 lakhs to the investigating officer. In case of him doing so, the interim bail shall be confirmed. However, in case of default of submission of a fixed deposit of the said amount, the interim bail would be cancelled.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

May 27, 2019
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No