

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

206

CRM-M-9545-2019 (O & M)
Date of Decision:18.10.2019

Vinod Hastir

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Arora, Advocate for
Mr. M.S. Sachdev, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Vikas Bali, Advocate for the complainant.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.16 dated 23.01.2019 under Sections 406, 420 and 120-B IPC, registered at Police Station Navi Baradari, Jalandhar, District Jalandhar. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 01.03.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that as per the allegations in the FIR, the original documents relating to the property of the complainant are with the petitioner. It is pointed out that the petitioner and complainant entered into a exchange deed on 30.01.2018

pursuant to which a sum of Rs.7,00,000/- was paid to the complainant. It is further contended that sum of Rs.6,00,000/- was paid by way of cheque and Rs.1,00,000/- was paid by cash. According to the counsel, the petitioner has already made a complaint dated 27.11.2018 (Annexure P-4) wherein it was alleged that the said property is already a subject matter of two agreements to sell executed by complainant in favour of two other persons.

Notice of motion for 29.03.2019.

At this stage, Mr. Abhinav Gupta, Advocate appears on behalf of complainant and filed his power of attorney.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel on instructions from ASI Hardial Singh does not dispute this fact that the petitioner has joined the investigation. He further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.03.2019 is made absolute.

18.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No