

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10008-2019

Date of decision: 29.03.2019

Subhash Rawal

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rachit Kaushal, Advocate for
Mr. Bhawesh Chaudhary, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.379 dated 29.06.2018 under Sections 420, 406, 120-B IPC, registered at Police Station Palam Vihar, Gurugram.

While granting interim bail to the petitioner, following order was passed by this Court on 08.03.2019 :-

“Counsel for the petitioner has submitted that as per the version in the FIR, the petitioner has sold the property to vendor – Subhash Chander and Manjit and they have sold the property to the complainant and later on, the complainant came to know that the property is under mortgage with the bank as the petitioner has raised a loan from Union Bank of India.

Counsel for the petitioner has relied upon a no-objection certified issued by the concerned bank on 03.12.2018 vide which it is stated that the petitioner has cleared the loan of Rs.44 lacs qua

the property.

Counsel for the State, on instructions from ASI Prem Chand, has submitted that though the petitioner has supplied the aforesaid no-objection certificate, however, the Investigating Officer has not verified the same.”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation. It is further submitted that the petitioner has repaid the entire loan amount and the mortgaged property is redeemed and he has also obtained an NOC from the Union Bank of India.

Learned State counsel, on instructions from SI Vijender Singh, submits that on verification, it is found that the bank has issued NOC in favour of the petitioner.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 08.03.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

29.03.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No