

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12000-2019

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 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.384 dated 30.06.2018 under Sections 406, 420 IPC, registered at Police Station Palam Vihar, Gurugram.

While granting interim bail to the petitioner, following order was passed by this Court on 15.03.2019:-

“The allegations in the FIR are that the petitioner sold the property to the complainant i.e. Karambir Malik, however, the complainant later learnt that the property had been mortgaged with the Union Bank of India.

Learned counsel for the petitioner contends that the petitioner has since redeemed the mortgage and obtained No Objection Certificate from the Union Bank of India. It is contended that the complainant was well aware of the loan over the property at the time when he had entered into transaction with the petitioner.”

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 15.03.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

29.03.2019
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No