

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16888-2019

Date of Decision: 14.05.2019

Sukhwinder Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Surinder Thakur, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Sukhwinder Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.15 dated 28.03.2019, registered at Police Station City Banga, District Shaheed Bhagat Singh Nagar (Nwanshahar), Punjab, under Section 420 of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

The FIR in the present case has been got registered by complainants Inderjit Singh Mann and Mangal Singh.

As per the prosecution version, the present petitioner entered into agreement to sell on 05.07.2015 with the complainant and the sale deed was to be executed on 05.01.2017, which date was later on extended to

30.05.2018. As per the allegation, the present petitioner sold the property to one Kiran Bala in an illegal manner by sale deed dated 26.09.2017.

In pursuance of the interim order dated 12.04.2019, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. The case is based on documentary evidence. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 12.04.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

14.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No