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

CRM-M-17269 of 2019

Date of decision: September 05, 2019

Shailender

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kamal Chaudhary, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.169 dated 07.11.2017, under Sections 406, 420, 447, 448, 506 of Indian Penal Code, 1860, registered at Police Station Kheri Pul, District Faridabad.

As per prosecution case, petitioner cheated the complainant and duped him to the tune of ₹2,85,000/-.

On 05.07.2019, this Court has passed the following order:-

“Contends that although the agreement to sell had been entered into between the parties i.e. Petitioner as well as the complainant, but that culminated into the sale deed and thereafter the possession of the land was duly handed over to the complainant.

Learned counsel for the petitioner seeks some time to produce the copy of the sale deed.

Adjourned to 08.08.2019.

In the meanwhile, the petitioner is directed to join

investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from Assistant Sub Inspector Shiv Kumar has stated that in terms of order dated 05.07.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 05.07.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

September 05, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No