

In the High Court of Punjab and Haryana at Chandigarh

211

CRM-M-46987-2017 (O & M)

Date of Decision: 19.07.2019

VIJAY KUMAR

.....PETITIONER

VERSUS

UT OF CHANDIGARH

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Karanvir Nanda, Advocate for the petitioner.

Mr. Gautam Dutt, APP for U.T. Chandigarh.

Mr. R. S. Bassi, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.187 dated 19.11.2017, under Sections 420, 406 and 120-B of the Indian Penal Code ('IPC' - for short), registered at Police Station Sarangpur, Chandigarh.

Learned counsel for the petitioner contends that the FIR is outcome of a civil dispute with regard to sale and purchase of the property and the complainant has already filed a civil suit for declaration in this regard which is pending adjudication before the trial Court.

A coordinate Bench of this Court, by the order dated 11.12.2017, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel states that although the petitioner has joined investigation but he is not handing over the copy of the original agreement to sell despite the previous order of this Court.

Learned counsel for the complainant states that photocopy of the agreement to sell is with the complainant but the petitioner is not handing over the original.

Learned counsel for the petitioner contends that the original is not in the possession of the petitioner but he is not doubting or challenging the photocopy of the agreement to sell which is dated 15.04.2015, which the complainant has also annexed with the suit for declaration.

A photocopy of the agreement to sell furnished by the counsel for the complainant is taken on record and the same is handed over to the learned State counsel.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 11.12.2017 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 19, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No