

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

206

**C.R.M-M No.48203 of 2018
Date of Decision : 22.01.2019**

Suraj Mohan Sharma

..... Petitioner

Versus

State of U.T. Chandigarh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : None for the petitioner.

Mr. Sukant Gupta, APP for the U.T. Chandigarh.

Mr. Atul Goyal, Advocate
for the complainant.

AJAY TEWARI, J. (ORAL)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.194 dated 18.09.2018 registered under Section 420 IPC at Police Station Sector 49, U.T. Chandigarh.

On 21.11.2018 the following order was passed:-

“Counsel for the petitioner states that the petitioner has not executed the agreement to sell dated 02.09.2016 with the complainant. So far as the agreement to sell dated 15.07.2016 with Sandeep Arora is concerned, Sandeep Arora is a property dealer and additionally, he is running committees (chit funds) also and petitioner is one of the members in such committees.

Adjourned to 22.01.2019.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, he shall join the investigation as

and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned Deputy Advocate General on instructions from SI Varinder Singh has stated that the petitioner has joined the investigation and he is no more required for custodial interrogation.

In the circumstances, keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Petition is allowed. Interim order dated 21.11.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 22, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No