

CRM-M-22620-2019 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CRM-M-22620-2019 (O&M).
Decided on : September 19, 2019.**

Satyawan Gautam and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

*** * ***

**PRESENT Mr.R.S.Cheema, Sr. Advocate, with
Mr.R.K.Trikha, Advocate,
for the petitioners.**

Mr.Anmol Malik, AAG, Haryana.

**Mr.Sanjiv Gupta, Advocate,
for the complainant.**

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ANIL KSHETARPAL, J. (ORAL)

On 17.5.2019, the following order was passed:-

“Learned Senior Counsel appearing on behalf of the petitioners contends that the petitioners who are husband and wife and are bona fide purchasers through a registered sale deed are sought to be falsely implicated.

Notice of motion.

On asking of the Court, Mr. Karan Sharma, AAG,

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Haryana, accepts notice on behalf of State of Haryana and seeks time to get instructions.

Adjourned to 03.07.2019.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from SI Naval Singh, has submitted that the petitioners have joined investigation, cooperated and not required for further custodial interrogation at this stage.

Learned counsel for the first informant has opposed the application for pre-arrest bail on the ground that the petitioners have committed a big fraud as there was an agreement to sell in favour of first informant and Poonam in 2005 and thereafter, sale deed was got executed only in the name of Poonam in 2008. He further submits that *no objection certificate* has also been forged by the petitioners.

Learned counsel for the complainant has admitted that no civil suit has been filed by his client. The FIR has been registered in 2019 i.e. after 11 years of the registration of the sale deed.

In view thereof, interim order dated 17.5.2019 passed by this Court is made absolute.

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Accordingly, the present petition is allowed.

(ANIL KSHETARPAL)
JUDGE

September 19, 2019.
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No