

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31519-2019 (O&M)
Date of decision: 20.09.2019

Situ @ Kashmiri Lal

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.284 dated 30.12.2016 under Sections 147, 149, 323, 382, 427, 448, 452, 506 IPC, registered at Police Station Adampur, District Hisar.

Learned counsel for the petitioner submits that in pursuance of the registered agreement to sell dated 17.08.2016, possession of the house in dispute was handed over by the seller. Thereafter, the seller failed to execute the sale deed and purchasers Hawa Singh Punia, Parvat Soni and Munish Ilahabadi have filed a civil suit for specific performance of aforesaid agreement and the same is pending. It is further submitted that later on, as a counter-blast, present FIR has been registered with the allegations that possession of the house has been taken forcibly. Learned counsel further submits that three co-accused of

the petitioner, namely Dimple, Munish Kumar and Satish have already been granted the concession of anticipatory bail vide order dated 20.08.2018 passed in CRM-M-26096-2018.

Learned State counsel, on instructions from ASI Sahib Ram, submits that the petitioner has been declared as proclaimed offender and was never arrested.

In reply, learned counsel for the petitioner has argued that during pendency of this petition praying for grant of anticipatory bail, the petitioner has been declared as proclaimed offender and he is ready to join the investigation.

After hearing learned counsel for the parties, this petition is allowed and the petitioner is granted the concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

However, it will be open for the Investigating Officer to issue a notice in writing to the petitioner, if he is required for further investigation, for the purpose of submitting the supplementary challan, if any.

[ARVIND SINGH SANGWAN]
JUDGE

20.09.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No