

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

CRM-M-38918-2019 (O&M)

Date of decision: 20.11.2019

Vikram and another

... Petitioners

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vivek Goyal, Advocate,
for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No.582 dated 20.08.2019, under Sections 406, 420, 506 and 120-B of the Indian Penal Code, 1860, registered at Police Station Gharaunda, District Karnal.

Learned counsel for the petitioners contends that the allegations are against the father of petitioner No.1, who is stated to have entered into an agreement with the mother of the complainant in the year 2015. It is alleged that the father of petitioner No.1 instead of executing the sale deed in favour of the mother of the complainant had executed the sale deed in favour of the petitioners. He also contends that the agreement to sell was entered into on 03.04.2015 and the sale deed was to be executed on 25.05.2015. He further contends that no civil suit for specific performance has been preferred by the complainant or his mother. He also contends that the parties have been in civil litigation with regard to the various properties.

Two civil suits preferred by the petitioners against the complainant and one civil suit filed by the complainant against the petitioners, were pending adjudication before the instant FIR was filed.

This Court, by order dated 13.09.2019, had directed the petitioners to appear before the Investigating/Arresting Officer and join the investigation and in the event of their arrest, they were to be released on ad-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 upon instructions from SI Baksa Singh states that although the petitioners have joined investigation but money has to be recovered from them. He, however, is not in a position to dispute the averments of the learned counsel for the petitioners with regard to the pending civil litigation between them before registration of the FIR.

In view of the submissions of learned counsel for the petitioners and the petitioners having joined investigation, the order dated 13.09.2019 granting interim bail to the petitioners is made absolute.

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

The petition stands disposed of.

20.11.2019

Satyawan

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.