

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44583-2019(O&M)

Date of decision: 13.11.2019

Manish

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Subhash Godara and
Mr. Dalip K Tuteja, Advocate for the petitioner

Mr. Manish Bansal, DAG, Haryana

Mr. Jaivir Yadav, Advocate for complainant

ANIL KSHETARPAL, J. (ORAL)

Affidavit of Alok Kumar Roy, Additional Director General of Police, Crime, Haryana has been filed in the Court today. A copy thereof has been supplied to the counsel for the petitioner.

On 17.10.2019, following order was passed by this Court:-

“Petitioner prays for grant of anticipatory bail in FIR No.214 dated 10.08.2019 registered under Sections 406, 420, 506, 34 of the Indian Penal Code at Police Station Salhawas, District Jhajjar.

As per the case of the prosecution, petitioner alongwith his father had entered into an agreement to sell received earnest money but are refusing to perform their part of contract.

Learned counsel submits that registration of the criminal case is abuse of the process of the Court. He also relies on the order dated 09.10.2019 passed in CRM-M-43550-2019 in the case of Mahabir, co-accused.

Notice of motion.

On asking of the Court, Mr. Manish Bansal, DAG, Haryana accepts notice on behalf of State of Haryana and seeks time to get instructions.

Adjourned to 13.11.2019.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner 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.

State Government through responsible officer of the rank of at least Additional Director General of Police, is directed to file affidavit as to how criminal cases are being registered merely on the allegations that the vendors have failed to perform their part of the contract.”

Learned State counsel on instructions from SI Ranbir Singh has submitted that petitioner has joined investigation, cooperated and not required for further custodial interrogation.

In view of the above, order dated 17.10.2019 is hereby made

absolute.

Petition stands allowed.

13.11. 2019	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No