

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

CRM-M-54231 of 2019

Date of decision: 20.12.2019

Pawan Kumar @ Neeta

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Gaurav Mohunta, Advocate for the petitioner.

HARINDER SINGH SIDHU, J.

Prayer is for grant of anticipatory bail in case FIR No.715 dated 03.11.2015 under Sections 306/34 IPC registered at P.S City Bhiwani, District Bhiwani.

The FIR was registered on the complaint of Parveen Rani, who alleged that all the accused forcibly obtained the signatures of her husband and her sons on a blank paper in order to get the house registered in their names besides taking away 40 tollas gold. It is alleged that her husband committed suicide after having been harassed by the said accused. The investigation was conducted and accused were arrested. Report under Section 173 Cr.P.C was filed and said accused were sent for trial. The petitioner was found innocent and was kept in column No.2.

During the trial, PW3-complainant while stepping up in the witness box has levelled allegations against the petitioner stating that she had handed over 40 tolas of gold to him. Thereafter, an application under Section 319 Cr.P.C was moved and the present petitioner was summoned to face the trial.

Learned counsel for the petitioner states that the petitioner was initially exonerated by the police while filing report under Section 173 Cr.P.C on having been found innocent. No offence as alleged in the FIR is made out against the petitioner and that he is not involved in any other case.

Notice of motion.

Mr. Saurabh Girdhar, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before the date fixed. On his doing so, he shall be enlarged on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking before the concerned Court to continue appearing as and when required apart from following all the terms and conditions fixed in this respect.

December 20, 2019
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No