

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

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IN VIRTUAL COURT

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**CRM-M No. 15069 of 2020
Date of decision : 1.7.2020**

Ravinder Kumar

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Manish Soni, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 497 dated 14.11.2016, registered under Sections 406, 420, 467, 468, 471 and 34 IPC, at Police Station Kherki Daula, District Gurugram.

It is contended by the counsel for the petitioner that the case against the petitioner is totally baseless. Still further, it is submitted that even as per the case of the prosecution, the only role attributed to the petitioner is that he was a signatory; as a witness to an affidavit, allegedly fabricated on behalf of the complainant. However, even on that aspect, the complainant has settled the matter and he does not have any grievance against the petitioner. The petitioner is not connected to the main transaction between the complainant and the main accused, who had agreed to sell the plot to the complainant.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State and Mr. Ravinder Pal Singh, Advocate, accepts notice on behalf of respondent No.2.

The counsel for the State, on instructions from ASI Rajbir, submits that the role of the petitioner has been investigated by the police. However, it is not disputed by the counsel for the State that role of the petitioner was only qua witnessing the alleged affidavit and not qua the main transaction between the complainant and the main accused. There is no other case against the petitioner.

Even the counsel for the complainant has not disputed the fact qua compromise.

In view of the above, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail subject to his furnishing personal bonds/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.

(RAJBIR SEHRAWAT)
JUDGE

1.7.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No