

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

**CRM-M No. 52568 of 2018 (O&M)
Decided on: 31.01.2020**

Dharam Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Munish Gupta, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. D.S. Sobti, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.260 dated 21.10.2018, registered under Sections 420 and 120-B IPC at Police Station Sohana, District Mohali.

Counsel for the petitioner has argued that in terms of the order dated 13.05.2019 passed by this Court, the petitioner has joined the investigation. It is further submitted that even prior to grant of interim bail to the petitioner, this petition remained pending for a considerable long time and the matter, at one point of time, was also referred to the Mediation and Conciliation Centre of this Court.

Counsel for the petitioner has also submitted that as per the allegations in the FIR, registered at the instance of one Harvinder Kaur, it is stated that the petitioner in connivance with the revenue official has committed a fraud regarding receiving the compensation amount of the

land which was acquired by GMADA for developing a housing project. It is further argued that even if some excess payment is paid to the petitioner, the complainant as well as GMADA had a right to recover the same, in accordance with law.

Counsel for the State, on instructions from HC Satinder Singh, has not disputed the aforesaid fact. Counsel for the State on the basis of the affidavit of the Deputy Superintendent of Police, City-II, SAS Nagar, Mohali has also submitted that the investigation is now complete and challan is prepared but the same is yet to be presented before the trial Court.

In view of the above, considering the fact that the petitioner is on interim bail since 13.05.2019; this petition is pending since 2018 and also in view of the fact that the investigation is already complete, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.05.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call the petitioner for further investigation, if any, by giving an advance notice to him in writing.

(ARVIND SINGH SANGWAN)
JUDGE

31.01.2020
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No