

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

CRM-M-6150-2020
Date of decision: 29.06.2021

Vicky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Bikram Chaudhary, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner in FIR No. 618 dated 27.09.2019, under Sections 406 and 420 of the IPC, registered at Police Station Palam Vihar, Gurugram, District Gurugram.

The operative part of the order dated 12.02.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that the dispute has arisen out of an agreement to sell and as per the said agreement to sell, the petitioner has received an amount of Rs. 18 Lakh.

Learned counsel for the petitioner further submits that the petitioner has already returned an amount of Rs. 6 Lakh as a civil suit is pending and the person, in whose favour the original GPA was given by the owner Rajinder, is claiming the possession on the basis of the GPA, however, the said GPA was cancelled by said Rajinder.

Learned counsel for the petitioner further submits that subsequently when another GPA was executed by said Rajinder in favour of the petitioner, he entered into an agreement to sell with the complainant and the petitioner is ready to explore the possibility of some amicable settlement.

Notice of motion for 16.04.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 12.02.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from SI Kanwar Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 12.02.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

29.06.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No