

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

**CRM-M No.17418 of 2021 (O&M)
Decided on: 10.11.2021**

Sakila

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Sahil Gupta, Advocate
or the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Arjun Atri, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0395 dated 23.07.2019 registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Tauru, District Nuh.

The operative part of the order dated 03.08.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...FIR has been registered on the complaint of Haffi, who stated that she is an illiterate lady. She along with accused Farmina jointly purchased land in village Chundika, Tehsil Tauru in the year 2010. She received summons from the court of learned Civil Judge (Jr. Division), Nuh in a Civil suit titled Sakila vs. Haffi. Thereafter, she got to know that the suit has been instituted on the basis of agreement to sell dated 01.05.2013. It is stated by the complainant that she never executed any

agreement to sell nor received any consideration from the petitioner-Sakila. Documents relied upon by the petitioner claiming to be agreement to sell was forged and fabricated. Complainant further stated that thumb impression had been obtained by the petitioner Sakila earlier which has been used by her to forge the said agreement. As per the agreement to sell, accused Sakila had paid Rs.50 lacs to the complainant in cash. Complainant stated that no such amount has ever been received by her. It is stated by the complainant that the registered stamp papers do not bear the signatures of either complainant or her husband. There was no material to indicate that the complainant had received any amount from the petitioner.

Learned counsel for the petitioner contends that the petitioner and the complainant are cousins. As there was civil suit pending regarding the land on the subject of the agreement to sell, no date for execution of sale deed had been fixed. The petitioner has not taken possession of the land, which is still with the complainant. According to the petitioner, the stamp papers for execution of agreement to sell were purchased by the husband of the complainant Ramjan. It is further contended that the present complaint has been instituted almost eight months after the complainant received summons in the civil suit for specific performance instituted by the petitioner. There is no explanation for the delay in filing the complaint. The petitioner is ready and willing to cooperate with the investigation.

Notice of motion for 10.11.2021....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 03.08.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State assisted by counsel for the complainant and on instructions from the Investigating Officer, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 03.08.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

10.11.2021
yakub

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