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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.16980 of 2021 (O&M)

Date of decision: 29.09.2021

Jai Prakash Saini

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Deepak Grewal, DAG, Haryana.

Mr. Sushil Bhardwaj, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.663 dated 28.12.2020 registered under Sections 120-B, 420, 465, 467, 468, 471, 506 at Police Station City Narnaul, District Mahendergarh.

Counsel for the petitioner has argued that as per the allegations in the FIR, the father of the petitioner and the complainant were owner of 1/4th share each, out of the disputed land and the FIR has been registered on a premise that the share of the complainant has been transferred in favour of the petitioner.

Counsel for the petitioner has also submitted that the petitioner has sold his share, which shall be subject to final outcome of the civil suit/the partition proceedings, if any, as whatever is sold by the petitioner is within his share.

Counsel for the petitioner has further submitted that the

CASE HEARD THROUGH VIDEO CONFERENCING

land which has been transferred is the share out of the total property and the petitioner will not claim anything beyond his share. It is also argued that in pursuance to the order dated 28.05.2021, the petitioner has already joined the investigation.

Counsel for the State, assisted by counsel for the complainant and on instructions from Inspector Vinay Kumar, has not disputed the factual position. It is also submitted that the civil litigation is already pending between the parties with regard to the transfer of the land.

In view of the above, considering the undertaking given by counsel for the petitioner that he will not claim anything beyond his share, this petition is allowed and the order dated 28.05.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

29.09.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No