

CRM-M-32737-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-32737-2021

Date of Decision:-22.09.2021.

Bhagirath Bishnoi

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

\*\*\*\*

Present: Mr. Raman Chawla, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

(Through Video Conferencing)

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**VIKAS BAHL, J. (Oral)**

This is the first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.293 dated 22.07.2021 under Section 420 IPC, registered at Police Station Civil Lines, Hisar, District Hisar.

On 13.08.2021, this Court had passed the following order:-

*“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.293 dated 22.07.2021 registered under Section 420 of the Indian Penal Code, 1860 at Police Station Civil Lines, Hisar, District Hisar.*

*Learned counsel for the petitioner inter alia contends that the petitioner is more than 86 years of age and is confined to bed at his home and that the present FIR has neither been*

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*registered by Usha Sharma who is allegedly the first purchaser nor by Mohit who is allegedly the second purchaser. It is further submitted that the petitioner has in fact entered into an agreement of compromise with the second alleged purchaser namely Mohit and has given cheques of sale consideration to him. It is also submitted that the petitioner has filed a Civil Suit challenging the sale in favour of Usha Sharma.*

*Notice of motion.*

*On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana accepts notice on behalf of State of Haryana and seeks time to get instructions.*

*Adjourned to 22.09.2021.*

*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and 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.”*

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rajesh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

This Court has heard the learned counsel for the parties.

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Keeping in view the above facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and interim order dated 13.08.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

Since the main case has been decided, pending criminal miscellaneous application, if any, shall stand disposed of.

**(VIKAS BAHL)**  
**JUDGE**

**September 22, 2021.**

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No