

207-A

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

CRM-M No. 30956 of 2020
Date of Decision: 07.01.2021

Suresh Kumar and another

-Petitioners

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Chand Ram Olla, Advocate,
for the petitioners.

Mr. Rajat Gautam, D.A.G., Haryana.

Mr. Sunil Saharan, Advocate,
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through
video-conferencing.

Petitioners seek grant of anticipatory bail under
Section 438 Cr.P.C. in case bearing FIR No.383 dated
25.06.2020 registered under Sections 406, 420, 120-B IPC at
Police Station Barwala, Hisar, District Hisar.

On 05.10.2020, following order was passed:-

“Heard through video conferencing.

The petitioners are seeking anticipatory

bail in FIR No. 383 dated 25.06.2020, under Sections 406, 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Barwala, District Hisar.

Learned counsel for the petitioners contends that it is alleged in the FIR that although money had been paid by the complainant, but the transfer deed was not executed in his favour and instead it was executed in favour of co-accused Dharmender. Petitioner No. 1 is only a witness to the transfer deed while petitioner No. 2 has been involved only because he is related to the parties. He also contends that there is no allegation that money was paid to either of the petitioners. He further contends that the petitioners are not involved in any other criminal case.

Issue notice to the respondent.

At the asking of the Court, Mr. Tanuj Sharma, AAG, Haryana, accepts notice on behalf of the respondent-State.

Mr. Sunil Saharan, Advocate, has put in appearance on behalf of the complainant. He

contends that the petitioners are members of the gang and they have duped the complainant.

List on 06.11.2020.

In the meantime, the petitioners are directed to appear before the investigating/arresting officer and join investigation.

In the event of their arrest, the investigating/arresting officer shall release the petitioners on ad interim bail subject to his satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

**(ANUPINDER SINGH GREWAL)
JUDGE"**

05.10.2020

Ramesh

Learned counsel for the petitioners submits that the petitioners have joined the investigation.

Learned State counsel on instructions from SI Surender Singh submits that in compliance of order dated 05.10.2020, the petitioners have joined the investigation to the entire satisfaction of the Investigating Officer and they are no more required in further investigation of the case.

Learned counsel for the complainant however

opposed the bail on the ground that the petitioners are also members of the gang.

In view of the fact that the petitioners have joined the investigation and are no more required in further investigation of the case, I deem it appropriate to confirm the order dated 05.10.2020.

In view of above, order dated 05.10.2020 is hereby made absolute.

However, the petitioners shall keep on joining the investigation as and when required to do so by the Investigating Officer.

January 07, 2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No