

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.201

CRM-M-38828-2020

Date of decision: 05.02.2021

Ombir

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rajnikant Upadhyay, Advocate, for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.230 dated 14.05.2020 registered under Sections 420/464/467/468/471 IPC at Police Station Sadar, Sonapat.

Briefly stated, the case of the prosecution is that on 24.09.2014, by committing fraud and forgery, the petitioner sold his father's Tractor, who had already expired on 07.09.2010.

Learned counsel for the petitioner submits that petitioner, who is the complainant's father, had filed an application against the complainant under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in which allegations had been made that the complainant had falsely got executed two release deeds dated 27.10.2016 in his favour on the promise that he would look after and take care of the petitioner but after getting executed the release deeds, the complainant started harassing the petitioner; the Sub-Divisional Magistrate, Sonapat before whom the aforesaid application had been filed by the petitioner, after hearing both sides, cancelled both the release deeds on which the complainant got annoyed and got lodged the present FIR; there is an unexplained delay in lodging of the present FIR; there is no other criminal case in which the petitioner is involved and that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully cooperated with the investigating agency.

Learned State counsel submits that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency and that his custodial interrogation is not required by the State.

After considering the above noticed facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and that his custodial interrogation is not required, the order of this Court dated 25.11.2020, granting ad interim anticipatory bail to the petitioners is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

February 05, 2021

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No