

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

CRM-M-44252 of 2020

DECIDED ON: 23rd MARCH, 2021

Sunil Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. I.S. Pabla, Advocate for petitioner.

Mr. H.S. Sitta, AAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed for grant of anticipatory bail in case of FIR No.479 dated 12.9.2020 under Sections 406, 420, 120-B IPC 1860, registered at Police Station Thanesar, District Kurukshetra.

This Court vide order dated 30th December, 2020 granted interim bail to the petitioner subject to his joining investigation. The order is reproduced below:

" The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail in FIR No. 479 dated 12.9.2020, under Sections 406, 420, 120-B IPC, registered at Police Station Sadar Thanesar, District Kurukshetra.

The allegations are that the petitioner sold 200 square yards of land in Khewat No. 7 to the complainant through Virender Kumar and Joginder Lal. The land was not owned by the petitioner. The consideration was passed in cash.

Learned counsel for the petitioner submits that as per jamabandi for the year 2016-17, the land belongs to the petitioner; the sale deed was duly executed; no consideration was passed; the cheques issued for sale consideration were dishonoured and the matter is pending in Civil Court challenging the sale deed itself.

Notice of motion.

Mr. Deepak Bhardwaj, DAG, Haryana appears on advance notice.

Learned counsel for the State opposes the prayer for anticipatory bail. It is stated that the allegations are that payment was made in cash on the understanding that cheques would be returned. It is further contended that the land in Khewat No. 7 is meant for street.

Considering that the issues raised are *prima facie* civil in nature and the matter is pending in the civil court, the petitioner is granted interim bail subject to his joining investigation within one week from today. He shall be bound by the conditions under Section 438(2) Cr.P.C.

List on 23.3.2021."

Learned State counsel on instructions from SI Ramesh submits that the petitioner has joined investigation. There is nothing on record to show requirement of custodial interrogation.

The interim bail granted on 30th December, 2020 is made absolute.

Disposed of accordingly.

(AVNEESH JHINGAN)
JUDGE

23rd MARCH, 2021

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>