

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

207

**CRM-M-19269 of 2022
Date of Decision: 09.11.2022**

Naresh Kumar

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Anmol Partap Singh Mann, Advocate,
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana

Ms. Ishita Jain, Advocate, for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.215 dated 17.04.2022, under Sections 406, 420, 506, 34 IPC, registered at Police Station Civil Lines, Karnal.

It has been submitted by the learned counsel for the petitioner that the present FIR is totally an abuse to the process of law since the present dispute between the parties is a civil dispute with regard to the sale of property and instread of filing a civil suit the present FIR was lodged. He submitted that be that as it may, this Court had granted interim bail to the petitioner on 07.05.2022 and he was directed to join investigation. He

submitted that in pursuance of the aforesaid order, the petitioner has already joined investigation and he has fully cooperated with the investigation process.

Mr. Ranvir Singh Arya, learned Addl. Advocate General, Haryana has stated, on instructions from PSI Rohit, that it is correct that the petitioner has already joined investigation in pursuance of the order passed by this Court on 07.05.2022 and he has cooperated with the investigation process and that he is not required for custodial interrogation.

Ms. Ishita Jain, learned counsel appearing on behalf of the complainant and has stated that the petitioner has cheated the complainant and therefore is not entitled for the grant of anticipatory bail.

I have heard the learned counsel for the parties.

The present FIR was lodged on the basis of a dispute between the parties and as per the learned counsel for the petitioner, the same was a pure civil dispute between the parties and even the learned State counsel has stated that the petitioner has already joined investigation and he is not required for custodial interrogation.

In view of the above, this Court deems it fit and proper to allow the present petition. Consequently, the order dated 07.05.2022 is hereby made absolute.

The petition stands allowed.

09.11.2022

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Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No