

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

209

CRM-M-23647-2022 (O&M)

Date of Decision: 27.09.2022

Shashi Sethi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. R.D.Gupta and Mr. Raghuvinder Singh, Advocates,
for the petitioner.

Mr. Krishan K. Chahar, Addl. AG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.299 dated 6.4.2022, Police Station City Yamuna Nagar, District Yamuna Nagar, Haryana under Sections 120-B, 406, 420, 467, 468, 471 of Indian Penal Code.
2. At the time of issuance of notice of motion on 27.05.2022, the following order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.299 dated 6.4.2022, Police Station City Yamuna Nagar, District Yamuna Nagar, Haryana under Sections 120-B, 406, 420, 467, 468, 471 of Indian Penal Code.

Learned counsel for the petitioner submitted that as per the FIR petitioner’s relatives Dukhi Lal and Bimla Rani were deceived by the property dealers including Manish Kumar, Ashu and Amarjit into executing a sale deed in respect of Plot No.202 on the pretext of getting a sale-deed executed in respect of Plot No.211. It has been submitted

that while Dukhi Lal and Bimla Rani could be said to be owners of Plot No.211 as a civil suit had been decided in their favour, but Dukhi Lal and Bimla Rani were never owners of Plot No.202.

Learned counsel for the petitioner submitted that the petitioner happens to be a bonafide purchaser having purchased a part of Plot No.202 from Dukhi Lal and Bimla Rani and that the moment she came to know about the deception and the fraud having been played by the property dealers and that Dukhi Lal and Bimla Rani were not owners of the said plot, she returned the property back to legitimate owner by way of executing a sale-deed dated 19.10.2016 i.e. after about 4 months of the earlier sale-deed in her favour.

Notice of motion for 27.9.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 27.05.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and

cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

27.09.2022
Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No