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

CRM-M-30147-2022

Date of decision : 15.09.2022

Karan Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Navjot Singh, Advocate for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Sukhdeep Singh, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.140 dated 29.06.2022 registered under Section 365 of the Indian Penal Code, 1860 at Police Station Sanoli, District Panipat, Haryana.

On 15.07.2022, this Court had passed the following order:-

“Inter alia contends that the petitioner has been falsely implicated by the complainant. It is further submitted that Amit Kumar was born on 05.04.1989 as per the Birth Certificate (Annexure P-2) and had entered into agreement to sell dated 20.06.2007 and had even given an affidavit (Annexure P-4) to the effect that he had sold land measuring 2 acres to the present petitioner and that he had received

Rs.10 lacs from the petitioner in the presence of Subhash and Rajni Devi. It is contended that the said Amit Kumar had also appeared in BA Examination in the month of April, 2010 and thus, the stand of the complainant that he is missing since 2009 stands falsified. It is further contended that said Amit Kumar got married on 06.07.2011 and reliance has been placed upon photographs of his marriage (Annexure P-6). It is argued that the said Amit Kumar was staying with the complainant and not with the present petitioner and the complainant had filed civil suit (Annexure P-7) on 22.01.2022 against the present petitioner challenging the sale deed and agreement in favour of the present petitioner. It is further argued that in order to grab the property sold by Amit Kumar, the present FIR has been registered after the filing of the said civil suit. It is also submitted that there is no other case pending against the petitioner.

Notice of motion for 25.08.2022.

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

Thereafter, on 25.08.2022, the following order was passed:-

“Learned State counsel, on instructions from SI Arvind Kumar, has submitted that although, the petitioner has joined the investigation, but he has not fully cooperated with the investigating agency.

Adjourned to 15.09.2022.

The petitioner is again directed to join the

investigation on 06.09.2022 at 11:00 AM.

Interim order to continue.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid orders dated 15.07.2022 and 25.08.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from SI Arvind, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 15.07.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 15.07.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

15.09.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No