

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-41618-2021
Date of decision : 04.04.2022

Parmod Poswal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Minkal Rawal, Advocate
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

Mr.Navjot Singh Sidhu, Advocate for
Mr.Ravi Gakhar, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.0016 dated 11.02.2020 registered under Sections 406, 420, 506 IPC at Police Station Bapoli, District Panipat.

On 24.02.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“Case heard via video conferencing.

On 05.10.2021, the following order had been passed by this court:-

“Heard through video conferencing.

*The petitioner is seeking anticipatory bail in
FIR No.0016 dated 11.02.2020, under Sections
406, 420 and 506 of the Indian Penal Code, 1860,*

registered at Police Station Bapoli, District Panipat.

Learned counsel for the petitioner contends that the FIR has been registered after seven years wherein it is alleged that the complainant had given money for the purchase of plots, but the sale deed was not registered. The petitioner does not have criminal antecedents. He also contends that the petitioner is ready and willing to settle the matter through mediation.

Issue notice to the respondent.

At the asking of the Court, Mr. Deepak Bhardwaj, DAG, Haryana, accepts notice on behalf of the respondent-State.

The petitioner and the complainant shall appear before the Mediation and Conciliation Centre, Panipat, on 14.10.2021 at 11:00 a.m.

List on 03.11.2021.

The arrest of the petitioner shall remain stayed till the next date of hearing.”

Thereafter, the report of the learned Mediator in the Mediation and Conciliation Centre at the District Courts of Panipat, has been received, accompanied by forwarding letter by the learned Chief Judicial Magistrate, dated 22.10.2021, with it stated in the report that the matter could not be settled in the proceedings.

Counsel for the complainant not being present, adjourned to 04.04.2022.

In the meanwhile, upon the petitioner joining investigation within one week, in case he is sought to be arrested, he would be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilqa Magistrate.

He shall also comply with the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation, in terms of the order of this court.

February 24, 2022 **(AMOL RATTAN SINGH)**
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Mahavir Singh, has submitted that the petitioner has joined investigation on 10.03.2022 and is not required for further investigation.

Learned counsel for the complainant has opposed the present petition for anticipatory bail.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 24.02.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 24.02.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

April 04, 2022
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No