

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

(Through Video Conferencing)

CRM-M No.42644 of 2021

Date of Decision:-08.03.2022

Karan Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Shivraj Angi, Advocate for the Petitioner.

Mr. Rehat Bir Singh Mann, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.94 dated 18.09.2021 for offence punishable under Section 420 IPC registered with Police Station Khui Khera, District Fazilka.

On 11.10.2021, following order was passed by this Court:-

“ *Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.94 dated 18.09.2021 under Section 420 of the Indian Penal Code, 1860, registered at Police Station Khui Khera, District Fazilka, Annexure P-1.*

Counsel for the petitioner submits that dispute between the

parties is purely of a civil nature and it has deliberately been given a criminal colour by lodging the FIR. He submits that an agreement to sell was entered into by the petitioner with the father of the complainant (who expired on 20.02.2014), whereunder, the petitioner agreed to sell 21 kanals 07 marlas of land for a sale consideration of Rs.39.75 lacs, out of which Rs.4.50 lacs had been received by him as earnest money. The sale deed was to be executed in August, 2014, however, the complainant did not appear before the Registrar and registered the FIR on the allegation that he has been cheated. Counsel urges that the petitioner is ready to perform his part of the agreement on receiving the balance payment from the complainant. He submits that the petitioner is willing to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, AAG, Punjab accepts notice on behalf of respondent-State.

List on 22.02.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

The learned State counsel on instructions from ASI Jaswant Singh submits that the petitioner has joined investigation in terms of orders dated 11.10.2021 and is not required for custodial interrogation.

In this view of the matter, interim order dated 11.10.2021 is made absolute. However, the petitioner shall keep on joining the

investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 08, 2022

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