

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

CRM-M-54725-2021

Date of decision : 01.09.2022

Zameel Ahmad

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Pranjpai P. Chaudhary, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

PANKAJ JAIN, J. (ORAL)

While issuing notice of motion, the following order was
passed:-

“Learned counsel for the petitioner has argued that the allegations in the FIR do not seem to be probable particularly the conduct of the complainant, who allegedly parted away with a sum of Rs.5,00,000/- and gave it to the petitioner for purchase of his house without even meeting the seller. He submits that the said transaction took place between the parties as the petitioner approached the complainant to facilitate the deal. He has further argued that it does not appeal to prudence that why the complainant did not make any complaint on the day when the money was allegedly taken away by the petitioner, as the grievance was raised after a period of two days.

Adjourned to 21.07.2022.

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

2. Today, counsel for the petitioner submits that pursuant to the order dated 15.02.2022, petitioner has joined the investigation. Mr. Jain does not dispute the said fact. However, submits that the amount involved is yet to be recovered.
3. As per the contents of the FIR, accused is stated to have received Rs.5 lakhs that too in cash in the pretext of getting the deal of 2.5 storey house matured in the name of the complainant.
4. Surprisingly, it has been submitted that Rs.5 lakhs in cash were paid without there being any writing.
5. Counsel for the petitioner on the strength of the aforesaid facts submits that the story put forth by the complainant is highly improbable.
6. Keeping in view the fact that the petitioner has already joined investigation, the interim order dated 15.02.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
7. This petition stands disposed off.

(PANKAJ JAIN)
JUDGE

01.09.2022
Dinesh

Whether speaking/reasoned	Yes
Whether Reportable :	No