

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.33700 of 2023

Date of decision: 31st October, 2023

Ranbir Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. H.S. Batth, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

Mr. Harish Goyal, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.61 dated 24.06.2023 for the offences under Sections 406/420 IPC registered at Police Station Ghanaur, District Patiala.

2. On the last date of hearing, i.e. 17.07.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner submits that a perusal of the FIR in question reveals that a criminal twist has been given to the civil dispute between the parties by lodging the present FIR. Learned counsel further submits that in fact the petitioner and the complainant had entered

into an agreement dated 17.02.2012 for purchase of land where the complainant had given Rs.15,00,000/- as earnest money for his share. As per the allegations levelled in the FIR, the petitioner misappropriated the said amount by selling the said land to various people by carving out plots and failed to give the complainant his share.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 17.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation. However, he submits that the petitioner has not fully cooperated with the investigating agency as recovery of the amount of ₹ 15.00 lacs, which was given as earnest money, had not been effected.

5. Be that as it may, since the petitioner has joined investigation, the petition is allowed and the interim order dated 17.07.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

October 31, 2023
rps

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