

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

207

**CRM-M-37276-2023
Date of decision: 07.12.2023**

VED PARKASH

....Petitioner

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Nikhil Ghai, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On 02.08.2023, the Co-ordinate Bench of this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in FIR No.115 dated 14.06.2023, registered under Sections 420, 406, 465, 467, 468, 471 and 120-B IPC at Police Station City Sangrur, District Sangrur.

Learned Senior counsel contends that the agreement to sell that was entered into with one Bishankar Shah, has since been rescinded by the petitioner on 13.07.2023. The civil suit filed by the aforesaid person for specific performance, also stands withdrawn. There is no loss that has been caused to the complainant on account of the aforesaid agreement to sell. The sale deed that had already been executed in his favour on 21.09.2021, remains unaffected. Further still, on instructions, he makes a statement that there will be no interference by the petitioner and his family members, either in the title or the possession of the complainant as regards the property in question is concerned, for which sale deed has been executed in his favour. The case is otherwise based on documentary evidence, which is already in possession of the police. He is not involved in any other case. Co-accused Vidul Gupta and Rajesh Bansal have been granted interim bail by this Court vide order dated 28.07.2023 (Annexure P7). He is ready and willing to join the investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 10.08.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 28.09.2023.

2. Learned State counsel on instructions from HC Inderjeet Singh, submits that in compliance of the order (supra), the petitioner has joined the investigation and has fully cooperated with the Investigating Agency. Learned State counsel further submits that the undertaking, which he had given to this Court earlier, that there will be no interference by the petitioner and his family members, either in the title or in the possession of the complainant’s property, the petitioner shall abide by the same, during the pendency of the trial.
3. Learned counsel for the petitioner submits that he has instructions, to make a statement that the petitioner will abide by the earlier undertaking made before this Court.
4. In view of the above, the interim order dated 02.08.2023, is hereby made absolute.

07.12.2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No