



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-190-2024
Date of decision: September 3rd, 2024

Davinder Sharma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Navmohit Singh, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, Assistant Advocate General,
Haryana.

Mr. Gautam Kumar, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.342 dated 29.05.2023 under Sections 406, 420 of the IPC registered at Police Station Palla, District Faridabad.

2. While issuing notice of motion on 08.01.2024, following submissions of learned counsel for the petitioner were recorded:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner is a victim of fraud at the hands of one Sunita Rani, who claimed herself to be the owner of the plot in question; it was Sunita Rani, who executed a General Power of Attorney in the name of the petitioner and it was on the basis of that General Power of Attorney, the petitioner in his capacity as a Special Power of Attorney, entered into an agreement with complainant Vivek Mishra. It has been further submitted that the entire sale consideration of the plot in question was not even received

by the petitioner but by co-accused Shribhagwan, a property dealer.”

3. Thereafter, vide order dated 21.05.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation.
4. Learned counsel for the petitioner submits that in compliance of order dated 21.05.2024, the petitioner has joined investigation and cooperated with the investigating agency.
5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.
6. In view of the above, the petition is allowed and interim order dated 21.05.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482 (2) of BNSS, 2023.

September 3rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No