

CRM-M-2682-2024

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

(220)

CRM-M-2682-2024
Date of Decision:-22.04.2024

Manoj Yadav

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. H.P.S. Sandhu, Advocate for
Mr. Yugank Goyal, Advocate for the complainant.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.880 dated 15.12.2023 under Sections 120-B, 420, 467, 468 and 471 of the Indian Penal Code, registered at Police Station City Narnaul, District Mahendergarh.
2. Vide order dated 18.01.2024, this Court while granting the concession of interim anticipatory bail directed the petitioner to join investigation.
3. Learned State counsel on instructions from SI Ramesh Kumar submits that the petitioner has joined the investigation and his custodial interrogation is no longer required.

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4. However, learned counsel for the complainant submits that the NOC used for the sale deed dated 27.12.2017 is not available in the revenue record and is yet to be recovered.

5. At this stage, learned counsel for the petitioner submits that the NOC has to be with the revenue authorities and the petitioner being the purchaser of the property has no access to the same rather a sale deed is registered only after the said NOC is provided to the authorities. In fact, the complainant is the purchaser of certain portion of land from other co-owner of the said khasra and hence, all these issues are kept open to be agitated before the trial Court.

6. In light of the above, the present petition is allowed. The order dated 18.01.2024 granting interim anticipatory bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency, and shall abide by the conditions of Section 438 (2) Cr.P.C.

7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

April 22, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No