



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-22363-2024

Date of decision: 12.08.2024

Sukhpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sherry K. Singla, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Sukhvir Singh Sahu, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.317 dated 23.10.2023 for the offences under Sections 406, 420, 466, 467, 468 of the IPC registered at Police Station City Ratia, District Fatehabad.

2. On 06.05.2024, while noticing the following submissions made by the 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 inter alia contends that the dispute, if any, between the parties is essentially of a civil nature which has been given a criminal complexion. He submits that brother of the petitioner, i.e. co-accused Padmini, had entered into an agreement with the complainant pertaining to 3 Marlas of land and out of this parcel of land, the petitioner was a bonafide purchaser of



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1 Marla of land vide Transfer Deed dated 16.11.2022. Learned counsel submits that even a perusal of the FIR which has been annexed as Annexure P-1, reveals that the alleged transaction had taken place only between the complainant and his brother co-accused Padmini. Learned counsel has also submitted that a suit for specific performance has already been filed at the instance of the complainant, which is pending before the learned Civil Judge, Ratia, District Fatehabad.”

3. Learned counsel for the petitioner submits that in compliance of order dated 06.05.2024, 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 and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 06.05.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

12.08.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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