



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

**CRM-M-30211-2024
DECIDED ON: 01.07.2024**

MAHIPAL

.....PETITIONER

VERSUS

NAR SINGH AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

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

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in complaint bearing No.COMI-02-2018 under Sections 406, 420 and 120-B IPC, titled as Nar Singh Dev versus Mahipal and others dated 12.01.2018 pending before the learned Sub Divisional Magistrate, Assandh, District Karnal.

Learned counsel for the petitioner contends that it is a complaint case wherein the petitioner is 81 years of age and has sought anticipatory bail for the offences under Section 406, 420 and 120-B IPC. He further contends on merits that it is purely a case of contractual obligation as the dispute revolves around agreement to sell dated 09.04.1991 wherein the land measuring 3 kanal was agreed to be sold for a total sale consideration of Rs.15000/- in favour of father of respondent No.1.

Notice of motion.

On the asking of the Court, Mr. Surender Singh Pannu, Addl. A.G., Haryana accepts notice on behalf of the respondent-State and seeks time to get necessary instructions.

Be that as it may without going further into the merits of the case and the veracity of the complaint, the allegations levelled against the petitioner wherein no recovery is to be effected for which custodial interrogation is considered to be necessary.

In the light of above, the petitioner is directed to be released on anticipatory bail subject to his surrender before the trial Court on the next date of hearing i.e. 12.07.2024, on furnishing of personal/surety bonds to the satisfaction of trial Court/Illaq Magistrate. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within the stipulated date i.e. 12.07.2024, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

01.07.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

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