

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

2024:PHHC:044536
CRM-M-44318-2023
Date of decision: April 3rd, 2024

Krishan Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Naveen Bharadwaj, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

Mr. Suresh Kumar Kaushik, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.12 dated 07.01.2023 under Sections 120-B, 34, 35, 406, 417, 420, 426, 465, 467, 468, 471 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959 registered at Police Station Hisar Sadar.

2. While issuing notice of motion on 05.09.2023, following submissions of learned counsel for the petitioner were recorded:-

“Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in this case. The grouse of the complainant arises out of a civil dispute on account of an agreement to sell of land measuring 27 kanals and 18 marlas, which is owned by the mother of petitioner, namely Rambai. Pursuant to the said agreement to sell, parents of the petitioner had also presented themselves before the Tehsildar but the proposed vendee did not turn up to get the sale deed

registered, as such, a civil dispute is being given a criminal shape. It is further submitted that it has wrongly been urged that a sum of ₹93,61,500/- was given in cash to the owner of the land i.e. the mother of the petitioner as the complainant has not disclosed any source from where the said huge amount in cash had been withdrawn. The petitioner is ready and willing to join investigation and abide by any stringent conditions that may be imposed by this Court.”

3. Thereafter, vide order dated 10.01.2024, 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 10.01.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from ASI Ved Pal, has not disputed the submissions made by the counsel for the petitioner that the petitioner has joined investigation, however, she submits that the recovery of the money, which was handed over in cash amounting to ₹1,81,33,000/- has not been effected.

6. In view of the above, the petition is allowed and interim order dated 10.01.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

April 3rd, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No