

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206/2

CRM-M-56-2024 (O&M)
Date of decision: 14.05.2024

SWARAN SINGH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ravinder Bangar, Advocate for the petitioner(s).
Mr. Surender Singh, AAG Haryana.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
759	28.10.2023	406, 420 and 506 IPC	Sadar Thanesar, District Kurukshetra

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 05.01.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions from SI Shamsheer has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.
4. Heard.
5. During the course of hearing on 05.01.2024 the following order was

passed:-

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case by converting the civil dispute arising out of an agreement to sell dated 23.12.2020 executed between the petitioner and the complainant qua sale of property. He further contends that since the complainant could not get the sale deed executed within the stipulated time, he has chosen the way to pressurise the petitioner by filing the present FIR. He further contends that there is no other criminal case pending against the petitioner.

3. Learned counsel for the petitioner further contends that similarly situated co-accused, namely Jaswant Singh, has been granted the concession of anticipatory bail in CRM-M-62542-2023 (Jaswant Singh vs. State of Haryana), which is pending consideration for 18.01.2024.

4. Notice of motion.

5. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

6. Mr. Anuj Balian, Advocate, has entered appearance on behalf of the complainant and filed his memo of appearance. The same is taken on record. He submits that by the aforesaid agreement, the petitioner had taken Rs. 20.00 lacs as earnest money but has not performed his part of the agreement.

7. Adjourned to 18.01.2024.

8. To be heard along with CRM-M-62542-2023 (supra).

9. Needful be done well before the date fixed with an advance copy to the counsel opposite.

10. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 05.01.2024 passed by this Court, interim bail granted vide order dated 05.01.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as

and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

14.05.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No