

102+203

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

CRM-M-12452-2015 (O&M)

Date of decision: 04.09.2015

Manoj Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Daljit Singh Virk, AAG, Punjab.

Mr. G.B.S. Dhillon, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

CRM-28993-2015

Applicant seeks permission to place on record Annexures A-1
to A-6.

Application is allowed, as prayed for.

CRM stands disposed of.

CRM-M-12452-2015

Petitioner seeks pre-arrest bail in FIR No.84 dated 11.03.2015
under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station
Civil Lines, Amritsar City, District Amritsar.

Notice of motion was issued and interim protection was
granted.

After hearing the learned counsel for the parties at considerable

length and going through the record of the case, this Court is of the considered opinion that since the dispute between the parties is arising out of an agreement to sell and civil suit filed by the petitioner for specific performance is also pending, wherein interim order was ordered in his favour, it primarily seems to be a case of civil nature. So far as the present case is concerned, petitioner shall face the criminal trial as well. In the given fact situation of the present case, custodial interrogation of the petitioner would not be the compulsive necessity of the investigating agency.

In view of the above and without commenting anything further on merits of the case at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed and the order dated 22.04.2015 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

04.09.2015
vishnu