

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

Crl.Misc.No.M-14395 of 2015

Date of Decision : 23.7.2015

Onkar Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.Harmanjit Singh Thiara, Advocate
for the petitioner.

Mr.P.J.S.Hundal, AAG, Punjab.

.....

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C. praying for release of the petitioner on bail in terms thereof in a case registered vide FIR No.24 dated 3.3.2015 under Sections 420/120B IPC at Police Station City Hoshiarpur.

The allegations in the FIR are that two sisters from a family of eight sold their share to one Baldev Singh, the eldest brother. The property is joint and is not partitioned. Subsequently these two ladies again sold their same land(shares) to the present petitioner.

Learned counsel for the petitioner contends that he cannot be held liable for any criminal prosecution as he is a bona fide purchaser of the property and if the multiple sale has been

resorted to by his sisters it is they who are accountable for that and not the petitioner.

Noticing this, the Court had granted the interim protection to the petitioner on 4.5.2015, pursuant to which he has since joined the investigation, which fact is not controverted by the learned counsel appearing for the State on instructions from ASI Rattan Chand.

Having regard to this fact and also the fact that the dispute centres around the family members and the petitioner has no role to play, the interim directions dated 4.5.2015 are hereby made absolute subject to the condition that the petitioner continues to comply with the provisions of Section 438(2) Cr.P.C.

Petition stands allowed.

23.7.2015

(MAHESH GROVER)
JUDGE

dss