

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 2284 of 2015 (O&M)
Date of decision : January 30, 2015

Rakesh Jain and another,

..... Petitioners

v.

State of Punjab,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. RS Cheema, Sr. Advocate, with
Mr. Pawan Girdhar, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl. A.G Punjab

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioners seek grant of anticipatory bail in case FIR No.245, dated 1.12.2014, registered under Sections 420, 465, 467, 468, 471, 120-B of the IPC, at Police Station Phase I, SAS Nagar, Mohali.

As per the allegations in the FIR, the petitioners had agreed to purchase land from the complainant and had paid him substantial amount as earnest money but it is alleged that they changed certain figures in the agreement to sell.

Learned counsel for the petitioners has argued that even if this allegation is correct, yet the only averment made by the complainant is that

by this action he has suffered loss, and that actually what has happened is that despite having made huge amount of money, by this stratagem the petitioners have been deprived of even the land which they were already ready to purchase. As per him, on their complaint an FIR has been lodged against the complainant and his accomplices by the Chandigarh police (Annexure P-2).

Counsel for the respondent, on instructions from ASI Sulekh Singh, has accepted these factual assertions.

In these circumstances, without commenting upon the merits of the case, I deem it appropriate to grant the concession of anticipatory bail to the petitioners. Resultantly, this petition is allowed and it is directed that in the event of their arrest, the petitioners shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

January 30, 2015
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(AJAY TEWARI)
JUDGE