

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-24932 of 2015
Date of Decision: October 06, 2015

Partap Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ranjan Lakhanpal, Advocate
for the petitioner.

Mr.B.S.Bhullar, Asstt. Advocate General, Punjab
for the respondent-State.

Ms.Nidhi Behl, Advocate for
Mr.S.S.Behl, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.128 dated 03.07.2015
under Sections 406, 420 and 34 IPC, registered at Police Station
Division No.7, Ludhiana.

Notice of motion was issued and learned State counsel as
well as learned counsel for the complainant appeared and contested
the petition.

I have heard learned counsel for the parties as well as
learned State counsel and have gone through the record.

From the record, I find that as per the FIR, the present

petitioner Partap Singh and co-accused represented themselves to have purchased the property from Smt.Dalbir Kaur and agreed to sell the same to the complainant for total sale consideration of ₹4.75 crore and received an amount of ₹65 lacs as advance money from them, out of which ₹55 lacs was paid in cash and ₹10 lacs was paid through two demand drafts but the sale deed was not executed. Now, complainant side came to know that Punjab Mandi Board has already acquired the land which was agreed to be sold to them and this fact was already in the knowledge of the accused.

The petitioner has already joined the investigation. The case is based on documentary evidence. The present petitioner is not required for any custodial interrogation or investigation purposes. From the record, the case looks to be breach of agreement etc.

The trial of the case will take long time. No useful purpose will be served by sending the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is accepted and the order dated 14.08.2015 granting interim bail to the petitioner is made absolute.

October 06, 2015
Vgulati

(INDERJIT SINGH)
JUDGE