

CRM-M-28312-2014 (O&M)

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

**CRM-M-28312-2014 (O&M).
Decided on: January 14, 2015.**

Puran Pal

..... Petitioner(s)

Versus

State of Haryana

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.J.S.Hooda, Advocate,
for the petitioner.**

Mr.M.S.Sidhu, Addl. A.G., Haryana.

**Mr.Manoj Kumar Sood, Advocate,
for the complainant.**

M.M.S. BEDI, J (ORAL)

The petitioner, as per the instructions of ASI Dharambir has joined investigation.

Counsel for the complainant has intervened to oppose the application contending that the petitioner has received money against an agreement of sale for selling the land which does not even belong to the petitioner but vests in the Gram Panchayat.

After hearing the counsel for the petitioner, counsel for the complainant and the State counsel, it appears that similar allegations had earlier been levelled by the petitioner on the basis of another agreement of sale. Even otherwise, the complainant has not

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taken any steps to recover the amount alleged to have been paid to the petitioner fraudulently to enter into the agreement of sale. It is also debatable as to how a huge sum of Rs.5.70 lacs was paid when as per the revenue record, it was the Gram Panchayat who was the owner of the property.

In view of debatable issues involved, the petitioner can be granted the concession of pre-arrest bail.

It has been informed by the counsel for the complainant that son of the complainant is missing for which the petitioner is responsible. It will always be open to the complainant to initiate criminal proceedings in case the petitioner is responsible for any such act.

The petition is allowed. Interim order dated 3.9.2014, is hereby made absolute. It is ordered that in case of arrest of the petitioner he will be released on bail to the satisfaction of arresting officer subject to the conditions that the petitioner will join the investigation as and when required and will not tamper with the evidence or hamper the investigation, in any manner. It will be open to the complainant to recover the amount in accordance with law.

January 14, 2015.
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(M.M.S. BEDI)
JUDGE