

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

(257)

CRM-M-31913-2015

Decided on: October 30, 2015.

Laxmi Chand

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. Akshay Kumar Jindal, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

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

Petitioner is alleged to have received earnest money and not executed the sale deed in favour of complainant Nanak Singh. The complainant appears to have not taken any steps to seek the enforcement of the rights under the agreement of sale. It will be debatable whether it is a case of civil liability as well as criminal liability.

Petitioner has joined investigation. It does not appear to be a case of custodial interrogation.

Without prejudice to the rights of the parties regarding enforcement of their legal rights under the agreement, the petitioner can be granted concession of pre-arrest bail.

Petition is allowed. It is ordered that in case of arrest of petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

**(M.M.S. BEDI)
JUDGE**

October 30, 2015

harsha