

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.36119 of 2015

Date of Decision:-07.12.2015

Sher Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Kamal Narula, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
along with HC Nand Lal.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Sher Singh in case FIR No.192 dated 01.10.2015 for offence punishable under Section 420 of Indian Penal Code registered with Police Station Sadar, Fazilka.

There is a dispute between two real brothers. Complainant-younger brother alleges that the accused petitioner (elder brother) Sher Singh has executed an agreement to sell dated 27.05.2009 for sale of 14 Kanals of land in favour of the complainant and received an amount of Rs.3.40 lacs as earnest money. Neither was he owner of the said land nor he has returned the money.

It is submitted that the petitioner being eldest brother had

looked after his younger brothers and sisters and said agreement to sell even as per statement of attesting witnesses was never intended for the sale of said land and rather was a move towards an amicable settlement between the parties.

Learned Counsel for the petitioner submits that pursuant to the interim order passed by this court petitioner has joined the investigation.

Learned State counsel on instructions from HC Nand Lal submits that pursuant to the interim order passed by this court petitioner has joined the investigation and is no longer required for custodial interrogation.

In view of the above, interim protection/pre-arrest bail granted vide order dated 19th of October, 2015 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

December 07, 2015
Vinay