

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 9940 of 2015.
Date of Decision : 06.04.2015.

Vimal Rai

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Rajesh Bhatheja, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Tejinder Singh Dhindsa, J. (Oral)

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking the benefit of regular bail to the petitioner in case FIR No. 4 dated 07.02.2015, under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station NRI, District Moga.

Learned counsel for the parties have been heard.

The case was registered on the complaint of Jagjit Singh, who was stated to have entered into an agreement to sell dated 12.02.2014 in respect of a plot measuring 16 marlas and had parted with a sum of ₹15 lacs towards earnest money. As per allegations of the complainant, the entire earnest money was paid to the son of the present petitioner and thereafter neither has the sale deed been executed nor the earnest money has been returned.

Counsel would refer to the enquiry conducted by the investigating agency and in terms of which, out of ₹15 lacs, ₹7.5 lacs had been received by co-accused, namely, Tharinderjit Singh.

Furthermore, co-accused, namely, Tharinderjit Singh has been granted ad-interim protection as regards arrest by this Court vide order dated 03.03.2015 in CRM-M No. 7044 of 2015.

The present petitioner was arrested on 09.02.2015.

The dispute is essentially civil in nature.

Without making any observation on the merits of the case, the present petition is allowed. The petitioner Vimal Rai be enlarged on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Moga.

Disposed of.

April 06, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE