

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

**CRM-M No.12668 of 2016 (O&M)
Date of Decision: 01.06.2016**

Nanak Chand

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jangvir S. Hooda, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Sanjay Kumar.

Mr. Rajesh Lamba, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in case FIR No.705 dated 02.12.2015, for the offences punishable under Sections 418, 420, 406, 467, 468, 471 and 120-B of the Indian Penal Code, registered with Police Station Sadar Palwal.

Facts in brief are that the petitioner-Nanak Chand is owner of 23 Kanals and 13 marlas of land i.e. the land in question. He executed an agreement to sell in favour of complainant Prem Lata of the said land on 6.8.2013 and received an earnest money of Rs.15 lacs out of total sale consideration of Rs.44,34,375/-. The target date of sale was 15.11.2013. The petitioner vide a relinquish deed dated 27.08.2013 transferred his 4 Kanals of land in favour of his son, leading to the lodging of the aforesaid FIR by the complainant.

It was contended that the dispute is entirely of civil nature and the complainant has not yet taken recourse of filing a civil suit for specific performance. Still further, assuming for the sake of arguments even the land covered under the relinquish deed is excluded, the land in question still would be available for execution of the sale deed.

Learned Counsel for the petitioner submits that the petitioner has joined the investigation and his custodial interrogation is no longer required.

Learned State Counsel, assisted by ASI Sanjay Kumar, agrees that the petitioner has joined the investigation and his custodial interrogation is no longer required.

Learned Counsel for the complainant vehemently opposes the confirmation of the bail.

In view of the above, interim protection/pre-arrest bail granted by this Court, vide order dated 12.04.2016, is made absolute.

Disposed of.

June 01, 2016

Gagan

**(JASWANT SINGH)
JUDGE**