

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

CRM-M-1270-2016 (O&M)

Date of decision : 11.08.2016

Sham Lal

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Aseem Kataria and Mr. Vishal Sharma, Advocates,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Surinder Kumar.

Mr. Umesh Kumar Kanwar, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in case FIR No.103 dated 28.08.2015, registered under Sections 420 and 120-B of the Indian Penal Code, at P.S. City Fazilka.

As per the case of the petitioner, he purchased 07 kanals 02 marlas of land from Bimla Rani wife of Lal Chand for a consideration of ₹6.60 lacs. The petitioner further entered into an agreement with the complainant for half share of the said land and received ₹4.50 lacs. He states that the physical possession of the land has been handed over to the complainant.

On the other hand, learned State counsel, on instructions, submits that the petitioner was not the owner of the land as on the date of the agreement, nor Bimla Rani is in possession of the same.

Heard.

Taking a lenient view, the petitioner was admitted to interim bail vide order dated 05.04.2016 on his making a specific undertaking that a demand draft for an amount of ₹1.25 lacs in favour of the complainant would be produced in the Court on the next date of hearing. However, in spite of availing repeated opportunities, order dated 05.04.2016 has not been complied with and till date, no payment has been made.

In this view of the matter, no case for grant of bail is made out.

Dismissed.

11.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No