

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

Date of decision:02/06/2016.

Balwinder Singh and another

.....Petitioners

VS

State of Punjab

.....Respondent

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.UK Agnihotri,Advocate for the petitioners

Mr.Kirat Singh Sidhu,DAG Punjab assisted by
ASI Didar Singh

Mr.Aman Pal,Advocate for the complainant .

Jaswant Singh,J(Oral)

Prayer is for grant of anticipatory bail on behalf of accused petitioners-Balwinder Singh and Harmeet Singh in case FIR No.99 dated 8.6.2015 under Sections 420,120-B,406 IPC, PS Lalru,Distt.SAS Nagar,Mohali.

It is submitted that at the time of execution of the agreement to sell (P-2) executed by accused brothers with complainant Raj Malhotra for sale of 7.5 acres of agriculture land @ Rs.92 lacs per acre, a sum of Rs.65 lacs was received as earnest money. Subsequently vide an endorsement dated 26.12.2013 the area of sale of land was reduced to three acres.

The allegation of the complainant is that the accused had

agreed for sale of land situated on the link road whereas land being offered is in the interior.

It is contended that the petitioners are ready and willing to refund the amount of earnest money.

Vide order dated 10.5.2016, notice of motion was issued and on petitioners joining investigations and furnishing adequate bail and surety bonds were granted interim bail.

Investigating Officer concerned was directed to ensure presence of the complainant on the date fixed.

Pursuant to the aforesaid order, petitioners as well as complainant are present in Court. An amicable settlement of the dispute is not possible as petitioners are not ready and willing to pay any substantial amount as upfront payment to show their bonafide.

After hearing the learned counsel for the parties, no case for grant of anticipatory bail is made out.

Dismissed.

02.06.2016
joshi

(Jaswant Singh)
Judge