

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

CRM-M No.13145 of 2016
Date of decision : 16.06.2016

Pawan Kumar Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

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

Mr. Karan Singh Khehar, Advocate

Mr. Siddharth Sanwaria, DAG, Haryana.

AMIT RAWAL, J. (Oral)

Mr. Rajesh Lamba, learned counsel appearing on behalf of petitioner submits that vide sale deed dated 21.10.2011, land measuring 20 kanals 1 marlas had been sold to the complainant. Even the mutation in this respect has been sanctioned. Allegations in the FIR is that possession has not been handed over. Matter is purely civil in nature. Report of Patwari is part of the challan which also acknowledges the existence of the land.

He further submits that principle of "Buyer Beware" would apply in the present case in case possession has not been handed over. Remedy is to seek the possession and not to lodge the FIR.

It is matter of record that petitioner is being incarcerated since 23.12.2015.

In the interest of justice, petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Faridabad.

The present criminal miscellaneous petition is allowed with aforementioned direction.

16.06.2016

pawan

**(AMIT RAWAL)
JUDGE**