

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-1822 of 2016

Date of Decision: May 6, 2016

Sanjeev Kumar

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr. J.B. Sharma, Advocate
for the petitioner.

Ms. H.K. Athwal, DAG, Punjab.

Mr. L.S. Sidhu, Advocate
for the complainant.

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M.M.S. BEDI, J. (ORAL)

On repeatedly asking as to what is the offer of the petitioner to refund the sum of Rs.40 lacs received as earnest money, counsel for the petitioner has insisted that the matter be referred to Mediation and Conciliation Centre of Punjab and Haryana High Court.

Counsel for the complainant has appeared and stated that the property being already mortgaged prior to the agreement of sale with Punjab National Bank, the Bank has already proceeded under the provisions of

SARFAESI Act, and the possession stands delivered to the bank. He has placed on record the photocopy of e-auction sale notice dated July 12, 2014 published in the newspaper.

Taking into consideration the fact that the petitioner has received earnest money fraudulently on the basis of an agreement of sale dated August 21, 2012, no ground is made out to grant the concession of pre-arrest bail to the petitioner.

Dismissed without prejudice to the rights of the petitioner to approach this Court again in case any settlement is arrived at between the parties.

May 6, 2016
sanjay

(M.M.S.BEDI)
JUDGE