

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

Date of decision:29.02.2016

Narinder Kaur

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Ms.Rakhi Sharma,Advocate for the petitioner

Jaswant Singh,J.(Oral)

CRM-6482/2016 is allowed and copy of judgment and decree dated 4.10.2008 based on the previous agreement to sell dated 11.10.2002 executed by the petitioner in favour of Gurjant Singh is taken on record.

Main Case.

Prayer is for grant of anticipatory bail in case FIR No.331 dated 13.11.2014 under Section 420 IPC, PS Jandiala Guru, District Amritsar.

It is an admitted fact that accused entered into an agreement to sell dated 11.10.2002 with one Gurjant Singh regarding sale of her property measuring 8 marlas comprised in Khasra N.96//23/1 in Village Jandiala and received a major portion of the sale consideration.

Subsequently,without disclosing the previous facts,she entered into

another agreement to sell dated 9.4.2003 regarding sale of the same property with the present complainant-Davinder Kaur. Gurjant Singh on the basis of previous agreement to sell dated 11.10.2002 filed a suit for specific performance, wherein present accused initially contested the suit and thereafter abstained from the proceedings leading to an ex parte decree dated 4.10.2008. Davinder Kaur also filed a suit for specific performance on the basis of subsequent agreement to sell dated 9.4.2003 which was decreed in toto and the appeal filed by the petitioner-accused stands dismissed. In the aforesaid background since Gurjant Singh is opposing the execution of the decree in favour of Davinder Kaur, present FIR stands registered against the petitioner.

After hearing counsel for the petitioner it is apparent that ingredients of cheating against the present petitioner are clearly made out. No case for grant of anticipatory bail is made out.

Dismissed.

29.02.2016
joshi

(Jaswant Singh)
Judge