

211.

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

CRM-M-23619-2016 (O&M)

Date of decision:22.08.2016

Geeta Ram

... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. A.P. Kaushal, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Santlal Barwala, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner-Geeta Ram son of Shri Atma Ram, in case FIR No.48 dated 12.05.2016 (Annexure P-1) under Section 420 IPC, registered at Police Station Sadar Rupnagar, District Rupnagar.

Mr. Santlal Barwala, has put in appearance on behalf of complainant and has filed memorandum of appearance which is taken on record.

Learned counsel for the petitioner contends that on 11.02.2011, an agreement in writing was executed for sale of ¼th share of land of the petitioner in khatauni No.102/107, Khasra No.73 (74-22), for a total amount of ₹34,53,661/-. At the time of agreement, the petitioner was given ₹10 lakhs as initial payment and the remaining amount of ₹24,53,661/- was

to paid on 11.06.2011 at the house of petitioner

Learned counsel for the petitioner states that the FIR, in question, was registered after 5 years of the execution of agreement. Even the suit for specific performance was barred by limitation, the complainant has resorted to file the present FIR.

Learned State counsel on instructions from ASI Jaswinder Singh states that challan in the case has been presented however prosecution evidence is yet to start.

I have heard learned counsel for the parties.

The evidence in the case is yet to start as only challan has been presented.

In view of the above, keeping in view the fact that trial in the case is yet to start, the petitioner is admitted on regular bail subject to furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate, Rupnagar.

The present petition stands disposed of accordingly.

(HARI PAL VERMA)
JUDGE

22.08.2016
sanjeev