

CRM-M-24274-2016(O&M)
Date of decision : 28.07.2016

Pradeep Kumar Navetia

..... Petitioner

versus

State of Punjab & Anr.

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Joban Singh, Advocate for the petitioner.

Ms.Amarjit Kaur Khurana, Addl.AG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail in case bearing FIR No.94 dated 09.06.2016 under Sections 420 of IPC registered at Police Station Civil Lines, Bathinda.

As per the allegations the petitioner had obtained Rs. 16, 50,000/- from the complainant for the sale of his house but on the date fixed he did not appear before the Registering Authority and on 26.09.2014 he sold the house to somebody else. Learned counsel has argued that it is a clear case of civil liability where the complainant has already filed a suit for specific performance. These essential facts are admitted by learned Addl.AG and learned counsel for the complainant. Learned counsel for the complainant has however argued that on one occasion the petitioner had avoided the execution of the sale deed by saying that he had to clear a loan

account from the bank and therefore after that loan account was cleared it was the duty of the petitioner to have sold the property to the complainant. It is also argued that the petitioner had been declared a proclaimed offender, though in another case.

Without commenting on the merits of the case it is not a case, in my opinion where prayer for anticipatory bail should be declined. Let the petitioner appear before the investigating officer on 4.8.2016 or on any date as is convenient to the investigating officer. On his appearance the investigating officer shall release him on bail subject to the conditions as envisaged under section 438(2) Cr.P.C.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

July 28, 2016
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No