

CRM-M-29621-2016

Date of Decision : 15.11.2016

Nachhatar Kaur and others

.....Petitioners

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Abhinay Goel, Advocate
for the petitioners.

Mr. Ramesh Kumar, AAG, Haryana.

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

Pursuant to the interim orders, petitioners have joined investigation, as per the instructions of Sub Inspector Raghuvir, imparted to the learned State counsel.

The allegation against the petitioners is that they had agreed to sell property to the complainant but later on, refused to sell the same and had started claiming higher price.

It was undertaken before this Court on 26.08.2016 that the petitioners are ready to alienate the property at the agreed rate mentioned in the agreement of sale but the complainant is not ready and willing to perform her part of the contract. The complainant appears to have not filed any suit for enforcement of legal rights on the basis of agreement of sale. In case, she files any such suit, on admission of the petitioners, the same could be decreed. The dispute is apparently a civil dispute.

On the basis of undertaking, the petitioners can be granted the concession of pre-arrest bail. The petition is allowed. It is ordered that in case of arrest of petitioners, they will be released on bail to the

satisfaction of the arresting officer subject to the following conditions:-

- i) Petitioners will join investigation as and when required.
- ii) Petitioners will not object to the execution of the sale deed, in case, the complainant comes forward for enforcement of her legal rights on the basis of agreement of sale (as undertaken on behalf of counsel for the petitioner).

In case of violation of any of the conditions, it will be open to the complainant to approach this Court for cancellation of bail.

(M.M.S. BEDI)
JUDGE

15.11.2016

Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No