

IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.

TAPINDER SINGH MANN
20/05/2016 13:47

Cr. Misc. M 3435 of 2016

Date of decision: 23.5.2016

Kewal Singh

Petitioner

VS.

State of Punjab and anr

Respondent

Present: Mr. GS Kaura, Advocate.
Mr. Jashanpreet Singh, AAG, Punjab
Mr. Raman Mohinder Sharma, Advocate.

M.M.S.BEDI,J.

The petitioner seeks quashing of FIR No. 14 dated 14.1.2016 u/s 420/120-B IPC registered at P.S. Lehra. The FIR was registered at the instance of complainant – respondent No.2 Malkeet Deen alleging that the complainant had entered into an agreement of sale with the petitioner as he wanted to purchase some land. The complainant agreed to purchase 21 kanal 4 marlas of land, owned by the petitioner. An agreement of sale dated 29.8.2011 was executed. A sum of Rs. 10 lacs was paid as earnest money. The target date was fixed as 29.12.2011 for payment of balance consideration. The complainant could not arrange the balance consideration, as such, sale deed was not executed.

In the present case challan has not been presented. On the instructions of ASI Sat Parkash, learned State counsel informs that the investigation is complete qua the petitioner and the prosecution agency intends to present challan against the petitioner.

Taking into consideration the totality of the circumstances, it appears that the allegations against the petitioner are still under investigation and the prosecution agency has not presented challan against the petitioner, as such, this petition is disposed of as pre-mature with liberty to the petitioner to avail the appropriate legal remedy, in case the prosecution agency opts to present challan against the petitioner, on the basis of the material gathered.

May23 ,2016
TSM

(M.M.S.BEDI)
JUDGE