

CRM-M-35611-2016

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

CRM-M-35611-2016

Date of Decision: 18.11.2016

Jaswinder Singh Riar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. J.S.Santwal, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

Ms. G.S.Mann, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner, Jaswinder Singh Riar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.173 dated 06.09.2016, registered at Police Station City Kharar, District S.A.S.Nagar, under Sections 406 and 420 of the India Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the petitioner; learned State counsel as well as learned counsel for the complainant and have gone through the record.

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From the record, I find that as per the allegations in FIR, the present petitioner entered into an agreement to sell with the complainant and received a total amount of ₹13 lacs. At the time of execution of agreement, the petitioner concealed the fact that he was not the owner of the property in question.

At the time of arguments, learned counsel for the petitioner admitted that ₹13 lacs have been received by the petitioner and he is ready to pay the same.

Keeping in view the facts and circumstances of the present case, I find that the petitioner is required for custodial interrogation and, therefore, no ground for grant of anticipatory bail is made out.

Therefore, finding no merit in the present petition, the same is dismissed.

18.11.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No