

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM-M-39869-2015 (O&M).

Decided on: February 25, 2016.

Jagga Singh

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

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CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.Vishal Aggarwal, Advocate,
for the petitioner.**

Ms.H.K.Athwal, DAG. Punjab.

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

Petitioner seeks concession of pre arrest bail in a case which was registered on the complaint of Raj Kumar alleging that on 2.6.1998, on the basis of agreement of sale, a sale deed was to be executed by the petitioner in favour of complainant and his real brother Ashok Kapoor but on account of Tehsildar being not available, sale deed was not executed on 2.6.1998. However, the possession remained with the complainant and his brother Ashok Kapoor.

The allegation against the petitioner is that the petitioner has sold the property to Mamta Kapoor wife of Ashok Kapoor. It is alleged that the petitioner had connived with the brother of the complainant and executed the sale deed.

I have heard the counsel for the petitioner and gone through the police file.

Admissibility of document dated 2.6.1998 regarding transfer of the right, title and interest in the property to complainant or Ashok Kapoor will be a debatable issue in context to the provisions of the Transfer of Property Act as well the Registration Act.

Be that as it may, the petitioner has joined investigation and it does not appear to be a case where he is required for any custodial interrogation.

The petition is allowed. Interim order dated 30.11.2015, is hereby made absolute. It is ordered that in case of arrest of the petitioner, he shall be released on bail to the satisfaction of the arresting officer subject to the conditions that the petitioner will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner.

(M.M.S. BEDI)
JUDGE

February 25, 2016.
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