

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

**(201)**

**CRM-M-40516-2014**

**Decided on: March 15, 2016.**

**Gurmail Singh**

**.... Petitioner**

**Versus**

**State of Punjab**

**..... Respondent**

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

Present: Mr. Gourave Bhayya, Advocate, for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

Mr. B.B. Sobti, Advocate, for the complainant.

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

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Balwinder Kaur alleging that the petitioner had sold plot to the complainant on the basis of special power of attorney of Harjas Singh. Later on, the complainant came to learn that the special power of attorney was cancelled by Harjas Singh and the petitioner had no authority to sell plot to the complainant. The petitioner had received a sum of Rs.1,21,500/- from the complainant. The petitioner has undertaken to discharge his liability to the extent of the amount received by repaying a sum of Rs.70,000/- along with one car which would be transferred in the name of the complainant.

Learned counsel for the petitioner had given an undertaking on last date of hearing to satisfy the complainant by discharging his liability in the above said manner.

On the instructions of ASI Paramjit Singh, the petitioner has joined investigation and has re-affirmed to discharge his liability.

In view of above circumstances, the petitioner can be granted concession of pre-arrest bail subject to the condition that he will fulfill his undertaking to discharge his liability by returning the amount in cash and by transferring a car.

Petition is allowed. It is ordered that the petitioner would be released on bail, in the event of his arrest, on his furnishing bail bonds/surety bonds to the satisfaction of the arresting officer subject to the conditions that the petitioner will pay a sum of Rs. 70,000/- and will also transfer a car as agreed to between the parties within a period of one month from today and will join investigation as and when required and will not tamper with the evidence or hamper the investigation in any manner.

In case, for any reason, the car cannot be transferred, the petitioner will discharge his liability by paying the amount in lieu of the car within above said period.

In case of violation of any of the conditions, it will be open to the complainant or the prosecution agency to approach this Court again with a miscellaneous application for cancellation of the bail granted to the petitioner.

**(M.M.S. BEDI)**  
**JUDGE**

**March 15, 2016**  
*harsha*