

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

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CRM-M-458-2016

Date of Decision: February 25, 2016

PARAMJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

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

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

Mr.Jashan Preet Singh, AAG, Punjab.

Mr.Achin Gupta, Advocate for complainant.

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

Petitioner along with his brother has allegedly duped complainant Prithivi Raj of a sum of Rs.60,00,000/- having received the said amount as earnest money for sale consideration of 3 Kanals 7 Marlas of land. The intention of the petitioner to dupe the complainant is apparent from his conduct from the beginning, as different stands are being taken by the petitioner to avoid liability to execute the sale deed. No doubt the complainant has filed a civil suit for enforcement of the legal rights but one of the brother of the petitioner who had also entered into agreement of sale is avoiding arrest. The circumstances of the present case indicate that it is a case of combination of civil and criminal liability. The complainant has been duped of huge amount and the execution of the documents and liability to repay the amount or execute sale deed has been absolutely denied.

With the assistance of the counsel for the complainant, I have gone through the original agreement and original sale deed of the property in dispute which had been handed over to the complainant to persuade to part with huge amount.

I do not find any ground to grant concession of bail to the

petitioner. This petition is dismissed with liberty to the petitioner to file a fresh petition after examination of the complainant or after the arrest of the co-accused of petitioner.

Nothing said in this order will prejudice any civil litigation or merits of the case at final stage.

February 25, 2016
TSG

(M.M.S.BEDI)
JUDGE