

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

**Criminal Misc.No.M-5430 of 2016 (O&M)
Date of Decision : 05th December, 2016**

Parampreet Singh Purewal

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Isha Goyal, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the respondent(s)-State.

Mr. S.K.Jain, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

Petitioner has preferred this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.03 dated 21.01.2016, registered
at Police Station NRI PS, District Jalandhar City, under Section 420 IPC.

On 25.02.2016, this Court passed the following order:-

“Counsel appearing for the petitioner has furnished in Court today an additional affidavit dated 25.02.2016 of the accused-Parampreet Singh Purewal. The same is taken on record as mark 'A'. Copy thereof has been furnished to counsel appearing for the complainant.

It is not controverted that the dispute between the parties pertains to execution of a sale deed of land admeasuring 8 kanals and 5 marlas coming to the share of the complainant out of joint khata situated at village Kadianwali, District

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Jalandhar. Accusation is that the present petitioner/accused has sold the land belonging to the complainant without due authorization.

As per affidavit tendered in Court today, the petitioner Parampreet Singh Purewal has furnished an undertaking to get status quo ante restored by way of execution of fresh sale deed of the property in question in favour of the complainant to the extent of his share.

Statement of the counsel appearing for the complainant is also recorded to the effect that such exercise as indicated in the affidavit dated 25.02.2016 would be executed in its entirety within a period of eight weeks from today.

In the light of such circumstances, hearing in the present petition is deferred to 09.05.2016.

Interim protection to continue till the next date of hearing.

Needless to mention that even complainant would cooperate as regards getting title of the land in question to the extent of his share restored in his own name.”

Learned counsel for the petitioner states that pursuant to this order, the sale deed has been executed in favour of complainant and consequently, the order of granting interim bail be confirmed.

Learned counsel for the complainant states that since the sale deed has been executed, he would have no objection if the order granting interim bail be confirmed but this is subject to the caveat that this is without any admission about the merits of the case and only for the purpose of granting of bail. In the sale deed, it has been mentioned that the sale deed has been executed to end the litigation but the complainant had agreed only to the grant of anticipatory bail and not to end the litigation.

I find it a fair submission. In this view, the instant petition stands allowed with the above caveat. The interim order dated 25.02.2016

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is made absolute subject to the conditions envisaged under Section 438(2)
Cr.P.C.

05th December, 2016
mamta

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No