

CRM-M-5653-2016 (O&M)

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

**CRM-M-5653-2016 (O&M).
Decided on: April 21, 2016.**

Jang Singh

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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

**PRESENT Ms.Puja Chopra, Advocate,
for the petitioner.**

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

**Mr.Vikas Mohan Gupta, Advocate,
for the complainant**

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

Petitioner apprehends arrest in a case registered at the instance of Mewa Singh alleging that Ram Singh father of the petitioner had agreed to sell land to the complainant but he sold the same to Kirandeep Kaur.

So far as petitioner is concerned, the allegation against him is that he had persuaded the complainant to part with a sum of Rs.2.5 lacs to his father Ram Singh.

Counsel for the petitioner has, inter alia, argued that the complainant has also filed a civil suit for specific performance of agreement of sale dated 20.12.2011 regarding the same property and has also sought injunction against Ram Singh. A copy of the

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plaint has been appended with the petition as Annexure P2.

In view of petitioner having joined investigation, prima facie, it appears to be a case in which allegations are against the father of the petitioner who is also facing a civil suit as defendant filed at the instance of complainant Mewa Singh. The criminal liability of the petitioner will certainly be a debatable issue during trial. It does not appear to be a case of custodial interrogation of the petitioner.

The petition is allowed. 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 he will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner.

April 21, 2016.
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(M.M.S. BEDI)
JUDGE