

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-7855 of 2016 (O&M)

Date of Decision: 26.04.2016

Harjeet Singh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.74 dated 6.5.2015 under sections 406, 417, 420, 201 and 120-B I.P.C registered at Police Station, Mullana, District Ambala.

Learned counsel for the parties have been heard.

Genesis of the dispute is an agreement to sell dated 14.2.2015 that was allegedly entered into between the present petitioner and the complainant namely Jai Kamal with regard to landed property and Rs.13 lacs having been received by the petitioner as earnest money.

The case made out on behalf of the petitioner is that it is the complainant himself who did not come forth for execution of the sale deed and the property in question is still under the ownership of the petitioner. It is further submitted that even though, two previous agreements to sell had been entered into in respect of the same very property but on account of fall in prices of real estate the vendees even pertaining to those two transactions had not got the sale deed executed. It is also the contention raised by the counsel that the agreement in question i.e. 14.2.2015 entered into by the

petitioner with the present complainant was after the target date for execution of sale deed having expired in respect of the previous vendee.

Petitioner was arrested on 2.11.2015.

Investigation in the case having been completed, challan was presented on 24.12.2015 and learned State counsel would inform the Court that the matter is now fixed before the Trial Court on 6.5.2016 for framing of charges.

The trial would take time to conclude. The offences are triable by a court of Magistrate.

In the considered view of this Court, no useful purpose would be served by keeping the petitioner any longer in custody.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Ambala.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

26.04.2016
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