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

CRM-M-13173-2017 (O&M)

Date of decision:14.12.2017.

JOGINDER PAL

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Karanvir Singh Khehar, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Arshdeep Singh Brar, Advocate,
for the complainant.

HARI PAL VERMA, J.(*Oral*)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.36 dated 18.03.2017 under Section 420 IPC, registered at Police Station City Phagwara, District Kapurthala.

Learned counsel for the petitioner has filed an application i.e. CRM-40505-2017 so as to take on record the Inquiry Report dated 14.02.2017 (Annexure P-10) submitted by Assistant Superintendent of Police, Sub Division Phagwara. The application is allowed and the document-Annexure P-10 is taken on record, subject to all just exceptions.

The inquiry report suggests that the petitioner is ready to execute the sale deed of his kothi measuring 0-18 marla in favour of complainant-Anju Luthra or in the name of anyone as suggested by the

complainant in terms of agreement dated 15.02.2016, of course after receiving the balance amount.

Learned counsel for the complainant has argued that though the agreement was executed on 15.02.2016 and the sale deed was required to be executed on or before 29.11.2016, however, with mutual consent of the parties, the same was extended to 30.03.2017. He further states that the property, which is the subject matter of sale, was not free even till August, 2017.

On the other hand, learned State counsel has joined arguments with the complainant.

I have heard learned counsel for the parties.

The recommendations made by the Assistant Superintendent of Police, Sub Division Phagwara vide his report dated 14.02.2017, wherein it has been reported that the petitioner is ready to execute the sale deed of his kothi in favour of the complainant after payment of remaining outstanding amount, this Court finds that at this stage virtually the custodial interrogation of the petitioner is not required and, therefore, the order dated 20.04.2017 passed by this Court is made absolute. However, the parties are free to invoke their respective remedies as available to them under the law.

Accordingly, the present petition is allowed.

(HARI PAL VERMA)
JUDGE

14.12.2017
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No