

Satpal Vs. State of Punjab

Present:- Mr. K. S. Dadwal, Advocate
for the applicant-petitioner

Ms. Dhivya, AAG, Punjab.

Through the present petition filed under Section 439 Cr. P. C., the petitioner seeks regular bail in FIR No.266, dated 05.11.2015, registered under Sections 419, 420, 465, 467, 471, 472, 406 and 120-B IPC at Police Station Zirakpur, District SAS Nagar Mohali.

As per the FIR, the petitioner's wife had entered into an agreement to sell the house owned by her in Zirakpur. The sale consideration was of ₹1,28,00000/-. However, after receipt of ₹1,0000000/- the petitioner and his wife backed out from getting the sale deed registered.

Learned counsel for the petitioner submits that the petitioner has been in custody since 13.12.2016. He is not needed for any further questioning by the prosecution. He further submits that the matter between the petitioner's wife and the complainant has been compromised and to this extent the complainant has also suffered a statement before the trial Court. Learned counsel for the petitioner further submits that the dispute is civil in nature and does not involve any criminality.

Learned State counsel opposes the bail application on the ground there are allegations of fraud against the petitioner and his wife.

A perusal of the record reveals that the complainant had suffered a statement before the trial Court with regard to the fact of having compromised the matter with the petitioner's wife. The petitioner is in

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judicial custody and therefore, no longer required by the prosecution for investigation purposes.

In view of the above, I am of the considered opinion that petitioner deserves to be admitted to regular bail.

Bail to the satisfaction of the trial Court.

However, before the bail bonds/surety bonds of the petitioner are accepted the trial Court is directed to verify the genuineness of the alleged compromise between the parties.

**(Deepak Sibal)
Judge**

February 07, 2017
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