

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

**Crl. Misc. No.M-31703 of 2017(O&M)
Date of Decision: October 31, 2017**

Sukhmander Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. N.K.Manchanda, Advocate
for the petitioner (s).

Mr. V.G.Jauhar, Sr. D.A.G., Punjab.

Mr. Sukhmeet Singh, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No. 105 dated 15.07.2017 registered for the offences punishable under Sections 420 read with Section 120-B of Indian Penal Code at Police Station City Kotkapura, District Faridkot.

Heard.

Learned State counsel submits that the petitioner after selling his property vide sale deed dated 26.07.2016 again entered into an agreement to sell with the complainant on 17.08.2016 and received ₹70 lacs as earnest money.

Learned counsel for the complainant/respondent No. 2 on instructions from complainant, who is present in the Court, submits that the matter has since been amicably settled and he has no objection if the bail, as sought by the petitioner, be allowed to him.

Keeping in view the submissions of learned counsel for the complainant, this petition is allowed and the petitioner is directed to surrender before the police and join investigation within two weeks from today. In the event of his arrest being required, he shall be released on pre arrest bail till the presentation of challan, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of bail allowed to him and will seek regular bail on presentation of challan.

It is, however, made clear that in the event the petitioner not surrendering before the Investigating Officer within a period of two weeks, the State will be at liberty to seek cancellation of bail allowed to the petitioner.

Registry is also directed to comply with the order dated 06.10.2017.

(SURINDER GUPTA)
JUDGE

October 31, 2017
Jyoti-II

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>