

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-3756-2017

Date of Decision: 27.04.2017

Lehmber Singh @ Bagga Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.P.Soi, Advocate,
for the petitioner.

Mr. V.P.S.Sidhu, AAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Lehmber Singh @ Bagga Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.07 dated 07.01.2017, registered at Police Station City Kapurthala, District Kapurthala, under Sections 420 and 406 of the Indian Penal Code.

Notice of motion has been issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, the present petitioner entered into an agreement to sell with Dilbag Singh through his attorney i.e. complainant and received Rs.3 lakh as earnest money, but he did not execute sale deed. Thereafter, a case was filed and decree was

passed in favour of Dilbag Singh. Now, the complainant came to know that

the said land measuring 7 marlas has already been sold to one Gurdeep Singh.

The case is based on the documentary evidence. Moreover, in pursuance of the interim order dated 06.02.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 06.02.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

27.04.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No