

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

**CRM No.M-45634 of 2016 (O&M)
Date of Decision: 31.01.2017**

Navdeep Singh @ Titu

... Petitioner

Versus

State of Punjab & another

... Respondents

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

Present:- Mr. Kulwant Singh, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.200, dated 22.10.2016, under Sections 420/120-B IPC, registered at Police Station Dakha, District Ludhiana.

On 21.12.2016, while issuing notice of motion, the following order was passed by this Court:

“Learned counsel has argued that the petitioner had entered into an agreement to purchase and on the basis of that agreement to purchase had further entered into an agreement to sell. Because his vendor did not execute the sale deed he could not further execute the sale deed. As per the learned counsel, even though the dispute is a civil dispute he would have no objection in refunding the amount of the complainant alongwith whatever interest the Court may feel appropriate.

On the oral request of the learned counsel, the complainant –Bhupinder Kaur wife of Jatinder Singh, resident of Mandi Mulanpur, Dakha, Ludhiana Rural, Punjab, is impleaded as respondent No.2.

Registry is directed to make necessary corrections in the memo of parties.

Notice of motion.

On the asking of the Court, Mr. B.S. Thind, A.A.G, Punjab, accepts notice on behalf of the respondent No.1.

Learned counsel for the petitioner undertakes to supply a copy of the paper book to the learned A.A.G. during the course of the day.

Learned counsel for the petitioner further undertakes to serve respondent No.2 by way of dasti process. May do so. Dasti only.

Since in the FIR it is mentioned that the complainant is among the poorest strata of society, I deem it appropriate to direct the petitioner to pay litigation costs of Rs.20,000/- to the complainant-respondent No.2. Ordered accordingly.

Adjourned to 31.01.2017.

In the meantime, in the event of arrest of the petitioner he shall be released on interim bail by the investigating officer subject to the conditions envisaged under Section 438(2) Cr.P.C. However, it is clarified that the petitioner shall be present before the investigating officer as and when his presence is required.

A copy of this order be given dasti to the learned Assistant Advocate General under the signatures of the Bench Secretary.”

Learned State counsel, who is on instructions from ASI Sukhwinder Singh would apprise the Court that the petitioner in spite of the indulgence shown by this Court has not joined investigation.

Even counsel appearing for the petitioner states that he has no instructions in the matter. Counsel further submits that he has no instructions with regard to the litigation costs of Rs.20,000/- having been furnished to the complainant in compliance of the order dated 21.12.2016

passed by this Court.

The conduct of the petitioner as such dis-entitles him from the concession of pre-arrest bail.

Petition dismissed.

31.01.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |