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

CRM-M No.10340 of 2018

Date of Decision: 05.04.2018

KARAM SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.D. Sharma, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.202 dated 21.12.2017, registered under Sections 406 & 420 IPC at Police Station Morinda, District Rupnagar.

Custody certificate filed by learned State counsel is taken on record.

Main allegation against the petitioner is that he facilitated the complainant Major Singh to enter into agreement to sell with Karamjit Singh owner of the property. Agreement to sell was executed on 03.03.2014 and earnest money to the tune of Rs.6,60,000/- was paid to Karamjit Singh. Receipt was executed to this effect which was duly signed by the vendor of the proposed vendee. Thereafter target date for execution of

sale deed was extended to 02.11.2015 on receipt of another amount of Rs.1,50,000/-. The said payment was also acknowledged by the complainant. The agreement was not honoured.

Further allegation against the petitioner is that the remaining amount was paid by the complainant to the petitioner which he had not paid to the vendor.

Material to establish such payments would be debatable in the context of material which has been collected by the police. Challan has already been presented. Charges are yet to be framed. Suit for specific performance has not been filed by any of the party to the agreement to sell.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 30.12.2017.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 05, 2018

(RAJ MOHAN SINGH)
JUDGE

Atik

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No