

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No.M-21596 of 2018 (O&M)
Date of decision : 01.08.2018

Sukhdev Raj

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vijay Rana, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Anil Kumar Spehia, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J.(Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.39 dated 22.02.2018, registered under Sections 406, 420 and 120-B IPC at Police Station Adampur, District Jalandhar.

As per the allegations in the FIR, the complainant agreed to purchase 03 marlas 05 Sarsahi land situated in village Gazipur, Tehsil Adampur, District Jalandhar, from the petitioner and his wife. Pursuant to agreement to sell dated 24.02.2015, accused persons received Rs.13 lacs, but thereafter, they mortgaged the land with State Bank of India, Adampur Branch and did not execute the sale deed.

From the allegations in the FIR as well as agreement to sell, it is apparent that the petitioner has connived with his wife. The complainant has been deprived of valuable consideration and the sale deed has not been

executed. Fraudulent intention is writ large as the petitioner has executed the agreement to sell even when he was not exclusive owner.

Therefore, finding no merit in the instant petition, the same is dismissed.

01.08.2018

mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No