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

CRM-M No.406 of 2018

Date of Decision: 21.03.2018

Kanwar Rakesh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner.

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

RAJ MOHAN SINGH, J.(Oral)

On 11.01.2018, following order was passed:-

By referring to the past history in respect of title of the property, learned counsel for the petitioner submits that the land in question was the subject matter of agreement to sell dated 15.07.2002 in which possession was delivered to the father of the petitioner by father of the complainant. On the basis of aforesaid agreement to sell, a civil suit for specific performance is pending. The complainant party committed theft of the crops resulting in filing of criminal complaint under Section 506, 382, 379, 148, 149 IPC by the father of the petitioner. In the aforesaid criminal complaint, complainant party has been summoned vide order dated 20.05.2017.

Notice of motion for 21.03.2017.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 17.01.2018 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions incorporated under Section 438(2) Cr.P.C.

Learned counsel for the petitioner submits that petitioner has joined the investigation on 17.01.2018 in view of earlier order.

This fact has not been disputed by learned State Counsel on instructions from ASI Manohar Lal and states that *datar* has been recovered from the petitioner.

In view of above, order dated 11.01.2018 is made absolute.

March 21, 2018

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No