

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M-5402-2018 (O&M)  
Date of Decision: 06.03.2018

Bed Singh @ Ved Parkash

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Aman Pal, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

Mr. M.K. Garg, Advocate for the complainant.

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**TEJINDER SINGH DHINDSA.J (Oral)**

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.164 dated 17.5.2017 under sections 420, 406, 506 and 34 I.P.C, registered at Police Station, Sadar Jind, District Jind.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Naveen Kumar. As per complainant's version an agreement to sell was entered into on 3.12.2014 between the complainant and the present petitioner for purchase of land measuring 102 kanals 9 marlas. Petitioner/accused was the vendor. The total sale consideration amount agreed to was Rs.2 crores approximately. A sum of Rs.50 lacs on different points of time was entrusted to the present petitioner.

Precise allegations against the petitioner are that at the stage of entering into the agreement to sell, petitioner was not the rightful owner of 1 kanal and 5 marlas of land out of the total of 102 kanals 9 marlas which was a subject matter of the agreement. As such, it is alleged that there was an

intent to cheat on the part of the accused/petitioner at the very threshold.

During the course of arguments it has gone uncontroverted that at a subsequent point of time a sale deed has been executed in favour of the present petitioner from the owners of such 1 kanal 5 marlas land as well.

It is the contention raised by counsel for the petitioner that he is ready and willing to have the sale deed executed in favour of Naveen Kumar/complainant in respect of the entire chunk of land as per terms and conditions of the original agreement to sell.

Petitioner was arrested on 29.5.2017.

Investigation in the case is complete, challan has been presented and even the charges have been framed.

Learned State counsel upon instructions from HC Mahender Singh apprises the Court that examination-in-chief of the complainant was recorded and thereafter an application under section 319 Cr.P.C to summon other persons as additional accused to face trial, has been moved and the same is pending consideration.

The trial, as such, would take time to conclude.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

Petition disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**06.03.2018**  
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Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No