

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8816-2019
DATE OF DECISION:-08.05.2019

BALBIR SINGH

...PETITIONER...

V.

STATE OF HARYANA

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. HPS Ishar, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. Rakesh Nagpal, Advocate,
for the complainant.

RAMENDRA JAIN, J. (ORAL)

Mr. Rakesh Nagpal, Advocate has appeared on his own and filed vakalatnama on behalf of the complainant, though, he has not been impleaded as party. The same is taken on record. Be tagged at appropriate place.

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.125 dated 12.05.2018, under Section 420 IPC, Police Station Pinjore, District Panchkula.

According to the prosecution, the petitioner duped the complainant for ₹26.00 lakhs by entering into some agreement to sell, which was paid to him on 08.02.2013.

Learned counsel for the petitioner contends that on the basis of agreement to sell with the complainant, the petitioner further entered into an agreement to sell with a third person, but deal did not materialize with third person for one reason or other. Therefore, his earnest money, which he had taken from the complainant, was forfeited by that third person. For this reason, the petitioner could not pay the balance amount. Thereafter, the petitioner amicably settled the dispute with the complainant and transferred a plot in favour of the wife of the complainant. Resultantly, now nothing remains to be paid to the complainant.

Considering the seriousness of allegation, fraudulent action of the petitioner, he does not deserve the concession of anticipatory bail.

Dismissed.

08.05.2019

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:

Yes/No

whether reportable:

Yes/No