

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26033-2018 (O&M)

Date of Decision:- 31.1.2019

Jaswinder Singh and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. R.C.Sharma, Advocate, for the petitioners.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners had approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.92, dated 3.5.2018, registered at Police Station Sector 14, Panchkula, under Sections 406, 420, 506 and 120-B IPC.
2. The allegations, in nutshell, are that the complainant had extended a loan to the accused to the tune of ₹15 lacs which was not returned. It is further the case of the complainant that subsequently an agreement dated 10.11.2016 for sale of land measuring 4 bighas was also entered into between the parties, as per which the accused was to sell land to the complainant and that the complainant had paid an amount of ₹ 6 lacs as earnest money. It is alleged that the accused however did not return the money nor executed the sale-deed and upon being

pressurized by complainant, the accused gave a cheque for an amount of ₹15 lacs which upon presentation was dishonoured .

3. Learned counsel for the petitioners has submitted that in fact the aforesaid agreement to sell had been entered into as security and the entire matter was in fact a civil dispute only.
4. Vide order dated 20.6.2018, this Court, while noticing the factual aspects of the case had granted anticipatory bail to the petitioners and had also directed the Commissioner of Police, Panchkula to furnish some information as regards pendency of the identical cases.
5. A report by way of affidavit of Ms. Charu Bali, IPS, Commissioner of Police, Panchkula has been filed. However, the same does not reveal that any alarming number of cases having been lodged.
6. Learned State counsel has however clarified that the information furnished is only in respect of those cases where challan has not been filed and the investigations are pending and pertain to the year 2018 only. Be that as it may, this Court does not feel the necessity of passing any further directions in the matter.
7. The petition, as such, is disposed of.

January 31, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No