

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

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CRM-M-46706-2019

DATE OF DECISION: 04.12.2019

DARSHAN SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Nand Lal Sammi, Advocate for the petitioner(s).

Mr. K.K. Bheniwala, Addl. A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 151 dated 09.05.2019, under Sections 406, 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Zirakpur, District SAS Nagar Mohali.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he had entered into an agreement to sell the same house with three different persons and after having accepted the earnest money, he has not executed the sale deed in favour of the complainants. He, however, contends that the complainants have already taken possession of the house of the petitioner and the allegations manifest civil dispute and a civil suit in this regard is pending adjudication.

Learned State counsel, upon instructions from SI Satnam Singh, contends that the petitioner had earlier entered into an agreement

to sell a house for a sum of Rs. 29 lakh and 22 lakh with Hari Gopal and Jagdish Kumar in the year 2015-2016 respectively. He had accepted earnest money but the sale deed was not executed. He, later, entered into an agreement to sell for the same house with Ramesh Kumar for a sum of Rs.39 lakh but the sale deed was not executed.

Learned counsel for the petitioner states that Jagdish Kumar and Ramesh Kumar are real brothers and the petitioner had entered into only one transaction with them.

However, learned State counsel states that Jagdish Kumar is not brother of Ramesh Kumar and, in fact, Jagdish Kumar is son of Bhagwan Dass while Ramesh Kumar is son of Sham Sunder and they are residents of altogether different place.

Heard.

The allegations against the petitioner are that he had entered into an agreement to sell the same house with three different persons and after having accepted earnest money, he has not executed the sale deed. In view of such allegations, the petitioner would not be entitled to the concession of anticipatory bail.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

04.12.2019.

SwarnjitS

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