

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

219/2

CRM-M-11809-2020

Date of decision : 26.11.2020.

Santokh Singh

... Petitioner(s)

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. R.S. Randhawa, Advocate for the petitioner(s).

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

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.18 dated 23.01.2020, under Sections 420, 120-B IPC, registered at Police Station Machhiwara, district Khanna.

On 20.03.2020, a Coordinate Bench of this Court has passed the following order:-

'Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.18 dated 23.01.2020, registered at Police Station Machhiwara, District Khanna, under Sections 420 and 120-B IPC.

Learned counsel for the petitioner submits that the present FIR has been registered on the statement of Gurdeep Singh, who is not a party to the agreement to sell executed by Amrik Singh in favour of Simarjit Singh, who is brother-in-law of complainant and Rs.26 lakh was received by Amrik Singh as an earnest money. The sale deed was to be executed on 24.06.2016, but the petitioner given an affidavit to the complainant stating that the sale deed would be executed by 25.09.2017, failing which they would return Rs.32 lakh to him (complainant). The learned counsel further contends

that the present complainant is fighting proxy litigation. So far as three more FIRs registered against the petitioner are concerned, out of which compromise has been effected between the parties in one FIR, quashing petition has been filed in the second FIR and in the third one, cancellation report has been filed. The learned counsel further states that till date, no suit for specific performance has been filed by Simarjit Singh.

Notice of motion for 08.07.2020.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.'

Learned State counsel, upon instructions from SI Jaswinder Singh, states that although the petitioner has joined investigation but he is not cooperating.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 20.03.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 26, 2020
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