

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

CRM-M No.28642 of 2018

Date of decision: 02.03.2020

Jujhar Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. A.S. Sandhu, Advocate
for respondents No.2 to 5.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for cancellation of bail granted to respondents No.2 to 5 vide orders dated 22.05.2018 (Annexure P-4) and dated 07.06.2018 (Annexure P-6) passed by the Additional Sessions Judge, SBS Nagar in case FIR No.36 dated 21.04.2018 registered under Sections 406, 420 and 120-B IPC at Police Station Sadar Nawanshahr, District SBS Nagar.

It is submitted on behalf of the petitioner that despite an agreement to sell entered into between the parties, the respondent/accused have backed out of the same and have neither executed the agreement to sell nor returned the money.

Counsel for the State, on instructions from ASI Avtar Singh, assisted by counsel for respondents No.2 to 5 has, however, submitted that while granting anticipatory bail to respondents No.2 to 5, the Additional Sessions Judge, SBS Nagar, has noticed a fact that in

pursuance to the agreement to sell, the seller i.e. the private respondents have appeared before the Sub-Registrar and got their presence marked and even, they have served a notice to the petitioner for execution of the sale deed as they are ready and willing to perform their part of contract.

On a Court query, counsel for the State on instructions from the Investigating Officer has argued that one civil suit is pending between the parties and the parties are litigating before the Civil Court. It is further submitted that now charges have already been framed before the trial Court and there is no complaint of misusing the concession of anticipatory bail.

After hearing the counsel for the parties, I find no ground to cancel the anticipatory bail of respondents No.2 to 5 as none of the settled ground seeking cancellation of bail/anticipatory bail are made out in the present case. There is no allegation that the accused have either misused the concession of bail or have extended any threat to the prosecution witnesses or are involved in any other subsequent criminal case. Accordingly, the present petition is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

02.03.2020

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No