

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

CRM-M-19694-2020 (O&M)

Date of Decision:- 20.7.2020

Balwinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Monty Goyal, Advocate, for the petitioner.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks issuance of direction to respondents No.1 to 4 to serve him a prior 7 days notice in terms of Section 160 Cr.P.C. in case he is required to be arrested in any FIR.

Notice of motion.

At this stage, Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

Learned counsel for the petitioner submits that he had entered into an agreement for purchase of land situated in Dhanaula with

Sukhwinder Kaur and Baldev Singh and had paid an earnest amount of ₹30 lakhs and that the sale deed was to be executed by 30.6.2020. It is further the case of the petitioner that subsequently he entered into an agreement for sale of the said land with respondents No.5 and 6 on 9.1.2020 and the said sale deed was to be executed by 10.6.2020 and that he had received an amount of ₹13 lakhs as earnest money.

Learned counsel has submitted that the aforesaid respondents No.5 and 6 are now pressurizing the petitioner to either extend the time for execution of sale deed or to execute the sale deed for a lesser price and have thus submitted false complaint in the police against the petitioner. Learned counsel for the petitioner has further submitted that in any case he is willing to execute the sale deed in question in favour of respondents No.5 and 6 as per the agreed terms.

Having heard the learned counsel for the petitioner and without commenting anything as regards the veracity of the averments made in the petition, the petition is disposed of with a direction to Senior Superintendent of Police, SAS, Barnala (respondent No.2) that in case the petitioner is required to be arrested in respect of any complaint submitted by respondents No.5 and 6 pertaining to the aforesid land transaction, then he be afforded one week prior notice before effecting his arrest.

At this stage, Mr. Anand Vardhan Khanna, Advocate put in appearance on behalf of respondents No.5 and 6 and has submitted that even his clients are willing to do the needful for execution of the sale deed and to pay the balance sale consideration as had been agreed.

Needless to mention, in case both the parties are still agreeable for execution of sale deeds, they would be at liberty to execute the same.

July 20, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No