

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

CRM-M-24950-2020

Date of Decision: 1st December, 2020

GURTEJ SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.K. Singla, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J.(oral)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

This is a petition seeking anticipatory bail in FIR No. 135, dated 29.07.2020, under Sections 420 and 120-B IPC, registered at Police Station City-2 Mansa, District Mansa.

The FIR was at the instance of Amrit Pal Singh. He had entered into an agreement to sell with regard to 55 kanals of land with Gurtej Singh on 14.10.2016. The land was in the name of Sukhjot Kaur. It was claimed that Gurtej Singh and Sukhjot Kaur had executed an agreement to sell in favour of the complainant and an amount of ₹10,00,000/- was paid as an earnest money. The land was sold to third person and the money was not returned.

On 28th August, 2020, this court passed the following order:-

“Learned counsel for the petitioner contends that the alleged agreement to sell is of the year 2016 and the dispute is purely of civil nature. According to him, the FIR has been lodged after a long delay to falsely implicate the petitioner.

Notice of motion for 1.12.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that in pursuance of the directions of this Court dated 28th August, 2020, the petitioner has joined the investigation.

Learned State counsel on instructions submits that though the petitioner has joined the investigation but the earnest money has not been returned to the complainant.

Considering the fact that the petitioner has joined the investigation and the dispute is dominantly of civil nature, no custodial interrogation is required, the order dated 28th August, 2020 is made absolute.

The petition stands disposed of.

However, it is clarified that nothing stated hereinabove shall be construed as observation on the merits of the case.

1st December, 2020
sham

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No