

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

101

**CRM-M-27138-2021(O&M)
Date of Order:19.07.2021**

PRAMOD KUMAR

..Petitioner

Versus

SANJEEV MALHOTRA AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Yowan Sharma, Advocate,
for the petitioner.

Mr. Shivendra Swaroop, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing
on account of restricted functioning of the Courts.

Through this petition, the petitioner prays for cancellation of
anticipatory bail granted to respondent no.1 vide an order dated 23.05.2019,
which reads as under:-

“On 25.04.2019, the following order was passed:-

*It has been pleaded in the petition that the
dispute between the parties is of civil nature as the
petitioner had entered into an agreement to sell
and also executed a registered Will apart from
letter of delivery of possession of the property
agreed to be sold.*

Notice of motion for 13.05.2019.

*In the meantime, in the event of arrest, the
petitioner shall be released on interim bail subject
to furnishing personal bonds and surety to the
satisfaction of Arresting/Investigating Officer.
However, the petitioner shall join the investigation
as and when called upon to do so and shall abide
by the conditions as provided under Section 438
(2) Cr.P.C.”*

*Learned State counsel has submitted that the
petitioner in this case has already joined the
investigation and he is not required for further custodial
interrogation.*

*In view thereof, interim order dated 25.04.2019
passed by this Court is made absolute.
Accordingly, the present petition is allowed.”*

Learned counsel representing the petitioner contends that respondent no.1 is now refusing to execute the registered sale deed.

This Bench is of the view that such matter lies in the exclusive domain of the Civil Court.

Hence, no ground to cancel the anticipatory bail granted to respondent no.1, is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

July 19, 2021
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(ANIL KSHETARPAL)
JUDGE

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