

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

101+205

**CRM-M No. 23038 of 2020 (O&M)
Date of Decision: 13.01.2021**

PAWAN KUMAR

-Petitioner

Vs

STATE OF PUNJAB

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Deepak Arora, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak.Addl.A.G., Punjab.

Mr.G.S.Randhawa, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through
video-conferencing.

**CRM No. 31601 of 2020 &
CRM No.637 of 2021**

In compliance of order dated 26.10.2020, the
petitioner has placed on record a copy of agreement to sell and
FIR No.2 dated 04.01.2015 registered under Sections 420, 419,

465, 467, 468, 471, 120-B IPC at Police Station Dinanagar District Gurdaspur.

For the reasons mentioned in the applications, the same are allowed. The additional Documents Annexures P-3 and P-4 are taken on record.

CRM-M No. 23038 of 2020

This petition has been filed under Section 438 Cr.P.C seeking anticipatory bail in case bearing FIR No.0109 dated 24.07.2020 under Sections 420, 465, 467, 468, 471 IPC registered at Police Station Tibber, District Gurdaspur.

As per allegations in the FIR, the complainant entered into an agreement to sell with the petitioner on 27.06.2018 and had paid an amount of Rs. 5 lacs to the petitioner as an earnest money. The target date for execution of sale deed was fixed as 27.08.2019 on extension of date after receiving Rs.1.5 lac by the complainant. Though the petitioner has denied the very execution of agreement to sell and receiving of any amount thereunder, but the stand taken by him in view of para Nos. 4 and 5 of the petition would show that he has virtually admitted the execution of agreement to sell. For recovery of the amount and other documents, custodial

interrogation of the petitioner is required.

Accordingly, this petition is dismissed.

January 13, 2021
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(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No