

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-30074-2020 (O & M)
Date of Decision: January 04, 2021

BIKRAMJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Navkiran Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Ms. Amandeep Kaur, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.57 dated 04.05.2019, under Sections 420 and 120-B IPC, registered at Police Station Sultanwind, District Amritsar.

Learned counsel for the petitioner contends that it is alleged that the petitioner had duped the complainant into entering into an agreement to sell dated 27.05.2016. He, however, contends that in the agreement to sell, the complainant had agreed to sell his 03 kanals and 10 marlas of his land for ₹22 lacs for which the complainant had allegedly received ₹15 lacs in cash and the outstanding amount of ₹7 lacs was to be paid by 29.08.2016 at the time of execution of the agreement to sell. The agreement was not executed and the petitioner filed a civil suit for specific performance wherein the trial Court had directed the parties to maintain status quo. He also contends that the possession of the land is still with the complainant and there is a delay of 03 years in filing the FIR. The petitioner is in custody for over 04 months.

Learned State counsel states that as per the custody certificate, the petitioner is in custody for 04 months and 06 days. He upon instructions from ASI Gurwail Singh states that although the challan has been filed but no prosecution witness has been examined.

Learned counsel for the complainant submits that allegations against the petitioner are serious and he is also involved in several other cases.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the civil suit between the parties is pending, the possession of the land is with the complainant, the petitioner is in custody for over 04 months, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

January 04, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No