

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

229

CRM-M-48911-2021

Date of decision : 14.12.2021

Harcharan Singh

... Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Yogesh Goel, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 122 dated 21.07.2021, under Section 420 of the Indian Penal Code, 1860, registered at Police Station Sadar Ludhiana, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner had entered into an agreement to sell land to the complainant on 06.07.2020. He had received ₹5,00,000/-, including ₹3,00,000/- as cash and a cheque for a sum of ₹2,00,000/- had been dishonoured and the complainant had transferred ₹2,00,000/- in the account of the petitioner. The complainant was to pay a sum of ₹5,00,000/- on 05.11.2020 and another ₹5,00,000/- on 05.01.2021 and the balance amount was to be paid at the time of execution of sale deed on 05.05.2021. The complainant did not pay the amount of ₹5,00,000/- on 05.11.2020 and ₹5,00,000/- on 05.01.2021 and, thereafter, the petitioner sold the property to another person. He also contends that the petitioner is willing to return the money to the complainant which he had received. He also contends that it is alleged by the complainant that he has paid more than ₹5,00,000/- to the petitioner, but there is

no receipt or details of transactions. The complainant had earlier preferred a suit for permanent injunction which was dismissed as withdrawn on 05.08.2021 and, thereafter, he filed a suit for specific performance of the agreement on 06.08.2021 which is pending adjudication.

This Court, by order dated 23.11.2021 had directed the petitioner to appear before the Investigating Officer and join investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Devender Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 23.11.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

December 14, 2021

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