

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.208

Case No. : CRM-M No.25935 of 2022

Date of Decision : June 13, 2022

Kamlesh Petitioner

vs.

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE M. S. RAMACHANDRA RAO.

* * *

Present : Mr. Nipun Vashist, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

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M. S. RAMACHANDRA RAO, J. (Oral) :

This is petition for regular bail filed by the petitioner in case FIR No.76 dated 24.01.2022, registered under Sections 406, 420, 506, 120 IPC (Sections 506 and 120 IPC added later on), at Police Station Assandh, District Karnal, Haryana.

The allegation against the petitioner in the FIR is that the petitioner, having entered into an agreement to sell with the complainant on 18.05.2021, later sold the property to another person on 27.07.2021.

Counsel for the petitioner contends that on 13.07.2021, the petitioner had sent a legal notice to the complainant, mentioning about her intention to cancel the agreement to sell and agreeing to return the advance amount of Rs.15,00,000/- received by her from the complainant. It is also contended that Economic Offences Wing, District Karnal, on 07.10.2021, consigned the file to the Record Room stating therein that the matter is of civil nature.

Counsel for the State submits that the petitioner had filed a regular bail application before the Sessions Judge, Karnal, who had rejected it on 26.05.2022.

Since the dispute between the petitioner and the complainant appears to be of civil nature and since the case against the petitioner essentially turns from the documentary evidence, the petition is allowed and the petitioner is ordered to be released on bail, upon his furnishing bail bond for Rs.10,000/- and furnishing two sureties for the said sum of Rs.10,000/- each, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Karnal.

June 13, 2022

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(M. S. RAMACHANDRA RAO)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.