

CRM-M-41201-2022

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

CRM-M-41201-2022 (O & M)

Date of decision:09.09.2022

Charanjeet Kaur

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Nitesh Singhi, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

CRM-33585-2022

Allowed as prayed for.

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Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.331 dated 28.07.2022, registered at Police Station Sohana, District SAS Nagar, under Sections 406, 420 and 120-B IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that cause of action, if any, arose to the complainant in the month of April, 2021, but she approached the police in July, 2022 i.e. after a period of 14 months; that co-accused Balbir Singh has already been granted *ad interim* anticipatory bail by this Court, vide order dated 01.09.2022 passed in CRM-M-39502-2022; and that civil dispute has been given a cloak of criminal proceedings.

Learned counsel further contends that though the alleged agreement was executed on 12.10.2020, yet till date, the complainant has

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not filed any suit for specific performance against the petitioner and others, and that value of land is beyond the alleged sale consideration to be paid by the complainant.

I have heard the learned counsel for the petitioner.

As per the prosecution version, the petitioner alongwith co-accused agreed to sell the land measuring 07 kanal 13 marla 5 Sarsahi, to the complainant, vide agreement to sell dated 12.10.2020 and had received Rs.16 lakh in total, as earnest money, from her. However, the petitioner alongwith co-accused had neither got registered the sale deed in favour of the complainant nor returned the earnest money. During inquiry, it was found that prior to the execution of aforesaid agreement by the petitioner and the co-accused, they had taken a loan from the bank after mortgaging the land, including the land in question, and that there was an outstanding loan amounting to Rs.27,00,000/- in the name of the petitioner.

Keeping in view the nature and gravity of the offence, this Court finds that the petitioner is required for custodial interrogation to ascertain the mode and manner of the commission of the alleged offence.

Therefore, finding no merit in the present petition, the same is dismissed.

09.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No