

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35016-2022 (O&M)

Date of decision : 22.2.2023

Lakha Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sukhbir Maandi, Advocate, for
Mr. Maninder Singh Bajwa, Advocate,
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.0100 dated 15.6.2022 registered under Sections 457, 380 IPC and Sections 3(1), 3(2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act at Police Station Gharinda, District Amritsar Rural.

Counsel for the petitioner submits that the petitioner has joined the investigation with the police in compliance of order of interim bail dated 8.8.2022 passed by Coordinate Bench of this Court whereby interim bail was granted and the petitioner was directed to join investigation.

Counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation with the police.

He further submits that the complainant is alleging that one agreement was executed between the parties, as per which, present petitioner-Lakha Singh

borrowed an amount of ₹ 1.5 lakh from the complainant and in lieu thereof, he handed over possession of one room to the complainant. He further submits that no such agreement was ever executed by the accused persons in favour of the complainant and even otherwise, if the prosecution version is considered to be true on its face value, it amounts to mere breach of contract for which the complainant can avail remedy by filing civil suit.

State counsel on instructions from ASI Skattar Singh apprised the Court that the petitioner has joined the investigation with the police. In view of the matter, *prima facie* it appears to be a case of breach of contract and for the same, the complainant can file civil suit for redressal of his grievance. Further, the petitioner has joined the investigation with the police.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 8.8.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

February 22, 2023
Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No