

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

104

CRM-M-62512-2023

Date of decision: 13.12.2023

SUKHWINDER SINGH

....Petitioner

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. S.S. Gopera, Advocate
for the petitioner.

KULDEEP TIWARI. J.(Oral)

Through the instant petition, prayer is made for grant of anticipatory bail in case FIR No.141 dated 01.11.2023, under Sections 406, 420 and 120-B of IPC, registered at Police Station Sadar Patiala, District Patiala.

Primarily the allegations against the present petitioner are that the petitioner failed to honour the contract/agreement to sell, which was executed by the petitioner in favour of the complainant on 31.05.2023. Subsequently, the petitioner refused to have executed any such agreement to sell, which led the complainant to file the instant FIR. All the allegations, even if it is stated to be a gospel truth, purely depicts that it is breach of civil contract.

Notice of motion.

Ms. Kanica Sachdeva, AAG, Punjab, waives service of notice on behalf of the respondent-State of Punjab.

Mr. J.S. Virk, Advocate, waives service of notice on behalf of the complainant, through validly executed *Vakalatnama*, in his favour and

vociferously opposed the grant of anticipatory bail to the petitioner. Learned counsel for the complainant submits that the petitioner, instead of filing the present bail application, should have settle the issue with the complainant by executing the sale deed.

This Court do not accept the arguments made by learned counsel for the complainant. If any grievance is there, the complainant should have filed the civil suit before the appropriate forum.

In view of the above, the present petition is **allowed**, with a direction to the petitioner to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to bail on his furnishing bail bond to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.

13.12.2023
amandeep

(KULDEEP TIWARI)
JUDGE

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