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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28920-2026
Decided on : 26.05.2026

Dalip Ram and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ashok Kumar Khunger, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Gautam Dutt, Sr. Advocate with
Mr. Rehan Gupta, Advocate
for respondent No.2/complainant(s).

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name & age of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
(1) Dalip Ram, aged about 56 years, (2) Rajwanti, aged about 51 years, (3) Indraj, aged about 60 years, and (4) Sakuntla, aged about 65 years	0117	24.04.2026	S. 316(2), 318(4), 61(2), of BNS, 2023 [Erstwhile Sections 406, 420, 120-B of IPC]	City-1 Abohar	Fazilka

2. After hearing learned counsel for the petitioner, on 20.05.2026, following order was passed by this Court:-

“2. On oral request, complainant namely Narinderjeet Kaur, wife of Kanwaljeet Singh, son of Gurdeep Singh, resident of Village



Rukanpura alias Khui Khera, Tehil Abohar, District Fazilka, is hereby ordered to be impleaded as respondent No.2 in the present petition.

Let amended memo of parties be filed by counsel for the petitioner, in the Registry, within a period of two days from today, without moving any separate application.

3. *Counsel for the petitioners submits that, as per the allegations, an agreement to sell dated 29.04.2025 was executed between the petitioners, as sellers, and complainant/respondent No.2, as purchaser, in respect of cultivable land, measuring 57 kanals and 01 marla, comprised in Khewat No.647, situated in Village Kikkar Khera, Tehsil Abohar, District Fazilka, as reflected in the Jamabandi for the year 2021–2022. The total sale consideration was fixed at the rate of Rs.23,50,000/- per acre.*

It is the admitted position in the present case that, at the time of execution of the agreement to sell, an amount of Rs.80 lakhs was paid by respondent No.2/complainant to the petitioners and, subsequently, a further amount of Rs.30 lakhs was also paid. However, the purchaser was required to pay the remaining balance amount of Rs.50 lakhs.

4. *Counsel for the petitioners further submits that, on the date fixed for execution and registration of the sale deed, it was the complainant/respondent No.2 who failed to arrange the requisite balance sale consideration and, consequently, did not appear before the office of the Sub-Registrar. On the other hand, petitioners duly appeared before the office of the Sub-Registrar, to mark their presence and got an affidavit attested from the Notary Public in this regard.*

It is further contended that respondent No.2/complainant failed to make payment of the balance consideration due to his own financial constraints. It is also submitted that a civil suit seeking a decree of permanent injunction has already been instituted by the petitioners and is presently pending before the competent Civil Court.

5. *Counsel for the petitioners further submits that, in order to demonstrate their bona fides, petitioners are willing to refund the amount received by them from the complainant/respondent No.2 along with reasonable interest, if the same is agreeable to him. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.*

6. *Notice of motion.*

7. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

8. *Adjourned to 26.05.2026.*

9. *To be shown in the urgent list.*

10. *Meanwhile, petitioners shall not be arrested. However, issue of joining of investigation by the petitioners would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel.*

11. *Let respondent No.2 be served through dasti process at the instance of the petitioners. In addition thereto, SHO concerned shall also inform respondent No.2, regarding the next date of hearing fixed before this Court.”*

3. Today, learned State counsel has filed the status report dated 25.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the



petitioners.

4. As per paragraph No.5(i) & (ii) of status report, it stands confirmed that on different occasions, i.e. during period from 29.04.2025 to 17.06.2025, total payment of Rs.1.10 Crore had been received by petitioners.

5. Learned Senior counsel appearing for respondent No.2/complainant submits that while entering into agreement of sale and purchase with petitioners, respondent No.2/complainant had sold some other property, whereas amount has remained with petitioners for about last one year. He further submits that respondent No.2/complainant/purchaser was also present in office of Registrar and, in this regard, there is a duly notarized affidavit in his possession.

He further submits that even today, respondent No.2/complainant is ready with balance sale consideration of about Rs.60.00 lakhs, in case petitioners are ready to execute sale deed.

6. I have considered the rival submissions addressed by the respective counsel for the parties and also gone through the record.

7. In regard to execution of sale deed at this stage, there is a clear denial on behalf of petitioners by submitting that respondent No.2/complainant is in possession over property in question. Besides, petitioners have also expressed difficulty in refunding amount of Rs.1.10 Crore along with interest, as undertaken before this Court on earlier occasion.

At this stage, petitioners are not ready to execute sale deed despite there being an offer to pay balance sale consideration. It is undisputed that an amount of Rs.1.10 Crore has already been received by



petitioners and same has remained with them for about last one year.

8. Court has also noticed that, on one hand, learned counsel for the petitioners argues that respondent No.2/complainant was put in possession of property at time of agreement to sell, on payment of Rs.1.10 Crore and, at same time, petitioners instituted a Civil Suit seeking decree of permanent injunction, wherein they claimed their own possession over land in dispute. Thus, there is a contradictory stand.

In totality of circumstances and in view of observations made here-above, this Court is of considered view that petitioners do not deserve discretionary relief, particularly when they have changed their stand from time to time and have retained entire amount with them for about last one year.

In view of above, no ground for entertaining present petition is made out. Accordingly, instant anticipatory bail petition stands **dismissed**.

Concerned Investigating Officer is directed to proceed further in accordance with law.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

May 26, 2026

J.Ram

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