

106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:093016
CRM-M-35291-2023
Date of Decision: July 24, 2023

Mehar Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Tarun Sharma, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is to grant anticipatory bail in case FIR No.0228, dated 05.06.2023, registered at Police Station City Ferozepur, District Ferozepur, under Sections 420, 406 and 120-B of IPC.

Allegations are that petitioners had purchased a tractor way back in November, 2015 for an amount of ₹6.4 lacs; paid only an amount of ₹30,000/-; and agreed to pay the balance amount. It is alleged that they have not paid the balance amount till date.

It is contended by learned counsel for the petitioners that FIR has been lodged after a delay of more than 7 years and a pure civil dispute has been given a criminal colour.

Learned counsel for the petitioners further contends that recovery cannot be effected even by the civil suit as it had become barred by time.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab accepts notice on behalf of respondent-State. Copy of paper book be supplied to him during the course of day.

In view of the aforesaid, let the petitioners join the investigation. It is further directed that in the event of arrest of the petitioners, they shall be admitted to anticipatory bail on their furnishing bail bonds and surety bonds to the satisfaction of the Arresting Officer. However, the petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Disposed of.

July 24, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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