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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 459/2013**

HEERA LAL

..... Petitioner

Through : Mr.Bhupesh Narula, Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Through : Mr.M.N.Dudeja, APP for the State.

Mr.Vibhor Garg, Advocate, for
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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24.05.2013

Petitioner-Heera Lal seeks regular bail under Section 439 IPC. Status report has been filed.

I have heard Additional Public Prosecutor, counsel for the petitioner, the complainant and have examined the record. The present case was registered under Section 156 (3) Cr.P.C. on 03.05.2011. It is alleged that the petitioner-Heera Lal entered into an Agreement to Sell with the complainant on 23.03.2007 to sell his share of 300 Sq.yd. out of total 1400 Sq.Yd of House No.22-A, Village Khanpur for a consideration of ₹20 lacs. ₹50,000/- were paid by cheque and remaining ₹19.50 lacs were paid in cash. It is alleged that the possession of the property in

question was not handed over and was delayed on one pretext or the other. Thereafter, appellant-Heera Lal and his brothers entered into agreements regarding sale of entire property including the property in question to Parvinder Kasana and Amit Kumar and took substantial amount from them. Number of documents were executed in their favour.

The petitioner is in custody since 03.01.2012. The material witnesses have been examined. Status report reveals that on 01.12.2009 there were talks of settlement and the petitioner agreed to hand over possession of the property in question for a total consideration of ₹ 35 lacs. However, he did not adhere to the compromise. Subsequently the complainant deposited ₹15 lacs in the High Court. Apparently, Civil Suits are pending between the parties regarding the property in question. There is considerable delay in lodging the FIR. The petitioner is aged more than 60 years.

Considering all these facts and circumstances of the case, the petitioner is admitted to bail on his furnishing personal bond in the sum of ₹50,000/-with one surety in the like amount to the satisfaction of the Trial Court.

The application stands disposed of.


S.P.GARG, J.

MAY 24, 2013
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