

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

CRM No.M-12 of 2015 (O&M)

Date of decision: 03.03.2015

Surinder Kumar Verma

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Rishi Pal Rana, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Mr. Ashutosh Aggarwal, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No.200 dated 14.06.2014 under Section 420 IPC registered at Police Station Mahesh Nagar, Ambala Cantt. District Ambala.

Counsel for the parties have been heard.

As per version of the complainant on the basis of which the FIR was registered, the accused i.e. the present petitioner-Surinder Kumar Verma has prepared a fake site plan and had entered into an agreement dated 09.07.2012 and agreed to give plots bearing Nos.24, 25, 30 and 31 as per site plan. Further version of the complainant is that when he went to take possession of such plots someone else was in possession of the same.

Appended along with instant petition is copy of the agreement dated 09.07.2012 at Annexure P-4A, which would reveal that it was the complainant-Parveen Kohli himself, who had entered into the sale

agreement

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as regards plot Nos.24, 25, 30 and 31 measuring 1108 sq. yards and had also received a cheque for an amount of Rs.6,01,000/- towards earnest money.

The factum of having entered into such agreement dated 09.07.2012, wherein the complainant is shown as seller of the plots is not disputed by the counsel appearing for Pardeep Kohli.

That apart, learned State counsel upon instructions from ASI Khushi Ram would admit to the fact that the competent revenue authority had undertaken a demarcation of the parcel of the land in question and the same was found vacant and not in possession of any other person. It also stands conceded that the petitioner has since joined investigation.

Accordingly, custodial interrogation of the petitioner would not be warranted.

The petition is allowed. The order dated 27.01.2015 passed by this Court is made absolute.

Disposed of.

03.03.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**