

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3150-2015

Date of Decision: February 16, 2015

Krishan Kumar and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Tarunveer Vashist, Advocate,
for the petitioner.

NARESH KUMAR SANGHI, J. (Oral)

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioners, namely, Krishan Kumar son of Megh Raj, and Kanta Rani wife of Krishan Kumar, both residents of village Chatha Nanhera, Tehsil Sunam, District Sangrur, who have been booked for having committed the offences punishable under Sections 120-B, 406 and 420, IPC, in a case arising out of FIR No. 130, dated 3.8.2014, registered at Police Station, City, Sunam, District Sangrur.

Learned counsel contends that it is find mentioned in the FIR that possession was handed over to the informant at the time of execution of the agreement; the petitioners and the informant were property dealers and they were partners in their

dealings; and that nothing is to be recovered from the petitioners, as such, they are entitled to the concession of pre-arrest bail.

I have heard learned counsel for the petitioners and gone through the material available on record.

As per allegations levelled by the informant, after entering into an agreement, petitioner No. 1, Krishan Kumar, transferred the land in question by executing a sale-deed in favour of petitioner No. 2, Kanta Rani, and one Priya, therefore, there was mala fide intention on the part of petitioner No. 1 and he also misappropriated the amount charged from the informant. Petitioner No. 2, Kanta Rani, had also colluded with petitioner No. 1 in committing cheating with the informant. Even during course of hearing before learned Court of Session, the petitioners sought time to return the money to the informant, but in spite of numerous adjournments they failed to keep their promise. No ground for grant of anticipatory bail is made out.

Dismissed.

February 16, 2015
Pkapoor

(NARESH KUMAR SANGHI)
JUDGE