

207

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

CRM-M-35862 of 2015

Date of decision: November 19, 2015

Soran Sharma and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Vikas P Singh, Advocate
for the petitioners.

Ms. Mahima, AAG Haryana.

SABINA, J

Petitioners have filed this petition under Section 438 of Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.41 dated 01.02.2015, under Sections 420, 467, 468, 471 of Indian Penal Code, 1860, registered at Police Station Civil Lines, Bhiwani.

Prosecution story, in brief is that on 23.04.2013, petitioner No.1 had sold one acre of land bearing Khasra No.98//8 to Kavita and had thereafter, executed an agreement to sell in favour of Akash Verma, nephew of the complainant and had received ₹10,00,000/- by way of earnest money on 03.09.2015. Petitioner No.1 executed a release deed in favour of his nephew on 23.08.2013 with regard to Khasra No.98//13. Thereafter, he received

₹10,00,000/- by way of earnest money from Akash Verma and executed a registered agreement in his favour. Petitioner No.1 executed an agreement to sell qua Two kanals Fifteen marlas of land in favour of Manju and he again sold the said land to Santosh. Thereafter, petitioner No.1 again sold the said land to Simmy Verma daughter-in-law of the complainant and executed a registered Will in her favour. Petitioner No.2 received ₹30,00,000/- from Simmy Verma and executed sale-deed in favour of Sheela Devi qua the house, although, she had taken a loan qua the said house. Thereafter, petitioner No.2 executed an agreement to sell in favour of Simmy Verma. On 13.08.2013, petitioner No.1 executed a sale-deed in favour of Simmy Verma with regard to land measuring Two kanals Eight marlas and thereafter, Simmy Verma executed a release deed qua the same in favour of Sunil.

Learned counsel for the petitioners has submitted that the dispute between the parties could be said to be purely civil in nature. Petitioners have been falsely involved in this case. In fact, petitioners have taken loan from the complainant and the same has already been repaid.

Learned State counsel, on the other hand has opposed the petition and has submitted that the petitioners are required for custodial interrogation.

In the present case, allegations levelled against

the petitioners are serious in nature. Petitioners have taken money from the complainant party, although, the property in question had already been sold. Petitioners are required for custodial interrogation.

Hence, no ground for grant of anticipatory bail to the petitioners is made out.

Dismissed.

**(SABINA)
JUDGE**

November 19, 2015
mahavir