

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

CRM No.M-36478 of 2015 (O&M)

Date of decision: 29.10.2015

Vikas Sharma and anr.

...Petitioners

Versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Paramjit Sullar, Advocate for the petitioners.

Mr. Arun Luthra, AAG, Haryana
assisted by ASI Ramesh Kumar

Mr. Rishabh Gupta, Advocate
for the complainant-respondent No.2

JITENDRA CHAUHAN, J. (Oral)

By way of petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.64, dated 14.05.2014, registered under Sections 406, 420, 506, 120-B of the Indian Penal Code (for the 'the IPC') at Police Station Saha, District Ambala.

The learned counsel for the petitioner contends that the petitioners have been falsely implicated in the present case. The petitioners along with the complainant purchased the land from Gurcharan Singh, Kuldeep Singh, Surinder Singh, Ravinder Singh, Balbir Singh and after making an agreement with them, earnest money to the

tune of Rs.25 lacs out of Rs.82 lacs per acre, was paid on 16.01.2012.

On the other hand, the learned State counsel and the learned counsel for the complainant state that the petitioners sold the land in question without having the consent of the complainant and not even returned the amount of 1/3rd share of the land, to the complainant. The learned counsel for the complainant refers to receipt of Rs.25 lacs which was given for purchasing the land from the abovesaid persons.

I have heard the learned counsel for the parties and perused the record with their able assistance.

Keeping in view the nature of allegation and the fact that the petitioners sold the land, by carving out plots from the said land, without intimating the complainant and returning the money to the complainant, no case for bail is made out at this stage.

Dismissed.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

29.10.2015

ashok

(JITENDRA CHAUHAN)
JUDGE