

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

CRM-M-666-2015 (O&M)

Date of decision : 29.01.2015

Brij Mohan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Naveen Batra, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Kamaljit Singh.

Mr. P.S. Ahluwalia, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in case FIR No.150 dated 30.08.2014, registered under Sections 420, 406, 120-B of the Indian Penal Code, (for short, 'the IPC') at Police Station Laddowal, Distt. Ludhiana City.

It is contended that the petitioner is ready and willing to execute the sale deed, Annexure P-1.

The learned State counsel, on instructions, submits that the

petitioner entered into agreement to sell 1600 sq.yds. of land, whereas, as per the record, he is owner to the extent of 1469 sq.yds. only. The land in question is still mortgaged with the bank.

The learned counsel for the complainant submits that with a *mala fide* intention, the petitioner has put up tenants in the disputed land in order to frustrate the rights of the complainant.

Heard.

This is the second bail petition of the petitioner. The first petition was dismissed vide order dated 09.12.2014. No fresh circumstance favouring the petitioner has been cited. The allegation that the petitioner entered into agreement to sell the land measuring 1600 sq.yds., with the complainant, i.e., more than the land owned by him. Therefore, no case for grant of pre-arrest bail is made out.

Dismissed.

29.01.2015
atulsehi

(JITENDRA CHAUHAN)
JUDGE