

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

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CRM-M No.8871 of 2015.

Date of Decision: July 14, 2015.

Bharat Bhushan

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. R.S. Rai, Sr. Advocate with
Mr. Gautam Dutt, Advocate for the petitioner.

Ms. Mahima, Assistant Advocate General, Haryana.

Mr. Sanjeev Sharma, Sr. Advocate with
Mr. Kalkiat Singh, Advocate for the complainant.

SNEH PRASHAR, J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure (in short, "Cr.P.C.") for grant of concession of regular bail to the petitioner in case bearing First Information Report No.357 dated 18.10.2012 under Sections 420/467/468/471/120-B of the Indian Penal Code (in short, "I.P.C.") registered at Police Station DLF-Qutub Enclave, Gurgaon.

As per prosecution version, the petitioner representing himself as a reputed property dealer had made complainant Harvinderpal Singh, agreeable to purchase Plot No.467, Sector-27, Gurgaon, which had been allotted to one Sushil Kumar. There was an agreement of sale already in existence in favour of Gaurav Arora, who agreed to sell the plot to the

complainant for a consideration of Rs.22,35,000/-. Rs.10 lacs were paid to Gaurav Arora on 31.05.2006 and Rs.12,35,000/- were paid to the petitioner on the asking of Gaurav Arora and further Rs.78,000/- were given to the petitioner for getting the conveyance deed transferred by HUDA. They kept delaying the matter of transfer and ultimately the complainant came to know that one Ashish Deore has already submitted papers for transfer of the plot in his name.

The submissions made by learned senior counsel representing the petitioner, learned counsel representing the State of Haryana and learned senior counsel representing the complainant have been considered.

In the First Information Report, the complainant named the petitioner as the property dealer through whom the transaction of purchase of plot in question by complainant Harvinderpal Singh from Gaurav Arora who had an agreement of sale in his favour, had materialized. The petitioner is in custody since 01.12.2014 i.e. for the last more than seven months. Charge sheet has already been filed by the prosecution and nothing remains to be recovered from him. Needless to say that the trial will take some time to complete whereas there appears no plausible ground to detain the petitioner in custody. Accordingly, he is admitted to bail, subject to his furnishing bail/ surety bonds, to the satisfaction of Area Magistrate/Trial Court, Gurgaon.

(SNEH PRASHAR)
JUDGE

July 14, 2015
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