

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

CRM-M No. 13946 of 2016 (O&M)

Date of decision: 02. 08.2016

Tripta Devi and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Sandhu, Advocate
for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by LHC Reetu.

Mr. Vineet Sehgal, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.120, dated 22.08.2015, registered under Sections 406, 420, 467, 468, 471 and 120-B IPC, at Police Station Kalka, District Panchkula.

The learned counsel for the petitioners contends that the dispute is purely of civil nature and no criminal offence is made out against the petitioners. In pursuance of order dated 26.04.2016, the petitioners have joined the investigation.

On the other hand, the learned State counsel submits that

though the petitioner has joined investigation.

The learned counsel for the complainant submits that petitioners entered into an agreement to sell with one Babu Ram and the complainant on 07.09.2012 in respect of land situated in village Burj Kotian, District Panchkula in equal shares, however, neither they got the sale deed executed nor they repaid the money allegedly received by them.

Heard.

As per the FIR, the petitioners have misappropriated a huge amount given by the complainant towards the execution of sale deed and instead of executing the sale deed, the petitioner have sold the property in question further to other persons without the consent and knowledge of the complainant and in this manner, they have cheated and misappropriated the huge amount i.e. Rs. 30 lacs of the complainant. Keeping in view the fraud committed, no case for bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

02.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No