

CRM-M-158 of 2016

Date of Decision: 12.01.2016

Atul Bansal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Rajiv Doon, AAG, Haryana.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks the benefit of regular bail in case FIR No.584 dated 15.09.2015, under Sections 420/467/468/471/120-B IPC, registered at Police Station Jagadhri City, District Yamuna Nagar.

The FIR was registered on the complaint of Vipul Bansal on the allegations that one Sunder Lal co-accused had set up an agreement to sell in respect of a residential house fraudulently.

It would be pertinent to notice that Sunder Lal had filed a suit for specific performance based on agreement dated 20.02.2015 that had allegedly been entered into with complainant Vipul Bansal titled as Sunder Lal versus Vipul Bansal and another for permanent injunction and in terms of the order dated 30.04.2015 passed by learned Civil Judge(Jr. Division), Jagadhri, parties were directed to maintain status quo in respect of suit property. The present petitioner who is the real brother of complainant Vipul Bansal is sought to be impleaded upon the statement of Sunder Lal wherein it had been alleged that the agreement had been given to him by the present petitioner.

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Interestingly Sunder Lal thereafter has even retracted from such statement. Rather co-accused Sunder Lal who was otherwise to be the beneficiary of such agreement to sell has been granted the benefit of regular bail by the Sessions Judge, Yamuna Nagar in terms of the order dated 11.12.2015, which is placed on record as Annexure P-4.

In view of the circumstances and facts noticed hereinabove and without making any observation on merits, the present petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Yamuna Nagar.

Disposed of.

12.01.2016

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**(TEJINDER SINGH DHINDSA)
JUDGE**