

CRM-M-1610-2016 (O&M)

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

**CRM-M-1610-2016 (O&M).
Decided on: January 18, 2016.**

Anoop Khullar

..... Petitioner(s)

Versus

State of Punjab and another

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.K.K.Saini, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL).

This is second application for the grant of pre-arrest bail filed by Anoop Khullar, claiming that the allegation against him is that he has purchased the land from impostor of Chanan Ram in connivance with him. He has submitted that the petitioner did not have any knowledge about the seller being not Chanan Ram, as such, he is a bona fide purchaser. He has submitted that a petition had been filed by Chanan Ram for protection of his life and liberty at the hands of the complainant Bimla Batta and Vikram Batta. The said petition was appended with certain documents including the affidavits of Chanan Ram, Avtar Singh, Budh Raj and Amrik Singh to emphasis that it was the original Chanan Ram who had sold the property to the petitioner. Counsel for the petitioner has made reference to certain other documents.

CRM-M-1610-2016 (O&M)

I have heard the learned counsel for the petitioner and carefully gone through the documents referred by the petitioner. No doubt in the affidavit some Chanan Ram claiming to be son of Amar Nath had sought protection by appending his affidavit and affidavit of other persons. The said petition for protection was disposed of by this Court taking into consideration the claim of the police that person who claim himself to be Chanan Ram in CRM-M-37291 of 2012, is not the original Chanan Ram and he was actually an impostor of original Chanan Ram. Without entering into the details, the said petition was disposed of with a direction that Chanan Ram who had filed application will not be arrested without 10 days notice but it was left open to the Investigating Agency to proceed against the said alleged Chanan Ram in accordance with law without prejudice to his rights to protect his life and liberty.

It may be observed here that while deciding the above said application on 9.10.2015, all the affidavits appended with the petition had been taken into consideration and the plea of the State that the person filing the petition as Chanan Ram was impostor was the main ground for dismissing the petition.

Since counsel for the petitioner now relies upon the affidavit of said impostor who filed the petition, I do not find any new circumstance or ground to grant the concession of pre-arrest bail to the petitioner. The reliance of the petitioner on the affidavits of other persons which form part of the earlier petition having been disposed

CRM-M-1610-2016 (O&M)

of cannot be considered to be a new ground for the grant of pre-arrest bail to the petitioner.

The petition is dismissed.

January 18, 2016.
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(M.M.S. BEDI)
JUDGE