

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

CRM-M-18031 of 2016 (O&M)

Date of decision : 12.08.2016

Jagdish Chand and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Cooner, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Sukhwinder Singh.

Mr. Anoop Verma, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.18 dated 09.02.2016, registered under Sections 406 and 420 of the Indian Penal Code (for short 'the IPC') and Sections 467, 468, 471 and 120-B IPC (added later on), at Police Station Saha, District Ambala.

The learned counsel for the petitioners contends that the complainant is very influential and has falsely implicated the petitioners in the present case. The petitioners are in custody since 11.04.2016. The present FIR has been lodged to extract the money from the petitioners.

Report of the Tehsildar, Ambala has been filed in the Court, is taken on record as Mark 'A'.

On the other hand, the learned State counsel as well as learned

counsel for the complainant state that the land in question was allegedly auctioned by the competent authority and father of the petitioners was the highest bidder of the said auction. However, the auction amount was not paid, therefore, the land remained in ownership of the Central Government, which is clear from the report of the Tehsildar, Ambala. The petitioners have entered into an agreement to sell of the land owned by the Central Government with the complainant and received a consideration amount of ₹15 lacs. Lastly, the learned State counsel submits that the investigation is still in progress.

I have heard the learned counsel for the parties and perused the entire record on file.

The petitioners have entered into an agreement with the complainant of the land, owned by the Central Government, and in lieu thereof have received ₹15 lacs from the complainant. The ownership of the Central Government over the disputed land is duly established from the report of the Tehsildar. The investigation is in progress. In these circumstances, no case is made out for bail.

Dismissed.

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

12.08.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No