

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-20056 of 2016 (O&M)
Date of Decision: 03.06.2016

Sultan Singh Rawat

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Rakesh Gupta, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

This is the second petition filed by the petitioner before this Court under Section 438 Cr.P.C. praying for anticipatory bail in case FIR No.50 dated 03.02.2016, under Sections 420, 467, 468, 471, 506 of the Indian Penal Code, registered at Police Station Sarai Khawaja, District Faridabad.

Counsel appearing for the petitioner would argue that no agreement to sell had been entered into between the petitioner and the complainant as regards the plot and neither was any receipt issued under the signatures of the petitioner. It is contended that petitioner has no concern whatsoever with the allegations and he is being falsely implicated.

It may be briefly noticed that FIR was registered at the instance of Suresh Singh. Allegations are that in the year, 2010 complainant had entered into a deal with respect to a plot ad measuring 100 Sq. Yards and for which the sale consideration amount was finalized for Rs.7 lacs. Allegations are levelled against the present petitioner and Gajender and Anu (co-accused) to whom Rs.7 lacs was entrusted in installments and a receipt

dated 17.01.2011 was issued in the name of Radhey Shyam Properties.

Further allegations are that boundary walls were constructed on the plot on three different occasions and every time the walls were demolished and the complainant on visiting the spot used to find someone else in possession. Complainant has specifically alleged that it was the present petitioner along with Gajender and Anu (co-accused) who had got the plot demarcated on the three occasions and even got the boundary walls constructed. Accusation in a nutshell is that the complainant has not been delivered possession of an unencumbered plot and rather the entire sale consideration amount of Rs.7 lacs has been misappropriated. Such accusation is against the present petitioner as also Gajender and Anu.

Having heard counsel for the petitioner at length, this Court is not inclined to grant the concession of pre-arrest bail to the petitioner. Such like instances of innocent people being duped by unscrupulous and self styled real estate agents of their hard earned money on the pretext of being given possession of plots are on the rise. These are matters which require to be deeply probed.

Custodial interrogation of the petitioner may well be necessary.

Present petition seeking concession of pre-arrest bail is, accordingly, dismissed.

03.06.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**