

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

CRM-M-24456 of 2016 (O&M)

Date of decision: 29.09.2016

Navneet Nayar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Munish Yadav, Advocate for the petitioner.

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

Mr. Sumit Jain, 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 FIR No.92, dated 07.03.2016, registered under Sections 406, 420, 506 and 120-B IPC, at Police Station City, Bahadurgarh.

The learned counsel for the petitioner states that petitioner is not the signatory of the agreement to sell in question. The matter is purely of civil nature. In pursuance of order dated 22.07.2016, the petitioner has joined the investigation.

On the other hand, the learned State counsel as well as the learned counsel for the complainant submit that the petitioner in connivance with her wife/co-accused knowing fully well that the property in question has been mortgaged with the bank, had entered into an

agreement qua the property in question for a consideration of Rs. 60 lacs, out of which Rs.50 lacs has been paid to the petitioner. The learned State counsel has circulated the FSL report which suggests that the petitioner is the signatory of the agreement to sell dated 15.06.2013.

Heard.

The petitioner in connivance with her wife knowing fully well that the property in question has already been mortgaged with the bank, sold the property to the complainant for a total consideration of Rs.60 lacs, out of which Rs. 50 lacs has already been paid by the complainant. Keeping in view 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.

29.09.2016

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(JITENDRA CHAUHAN)
JUDGE

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