

1. C.R.M-M No.34230 of 2016 (O&M)

..... Petitioners

..... Respondents

..... Petitioner

..... Respondents

..... Petitioner

..... Respondent

Mr. Vikrant Hooda, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This order shall dispose of the above mentioned three petitions.

The petitions bearing No. ***CRM-M-34230 of 2016*** and ***CRM-37439 of 2016*** have been filed for quashing of the FIR No.403 dated 11.08.2016 registered under Sections 419/420 IPC at Police Station City Bahadurgarh, District Jhajjar and all subsequent proceedings arising therefrom on the basis of compromise.

Today learned counsels have agreed that the compromise has not worked out between the parties. Consequently, petitions bearing ***CRM-M-34230 of 2016*** and ***CRM-37439 of 2016*** are dismissed.

CRM-37286 of 2016 in C.R.M-M No.32852 of 2016

For the reasons recorded, application is allowed.

Documents Annexures P-7 and P-8 are taken on record.

C.R.M-M No.32852 of 2016

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.403 dated 11.08.2016 registered under Sections 419/420 IPC at Police Station City, Bahadurgarh, District Jhajjar.

As per the allegations, the petitioner-Muktesh Rathee impersonated as the complainant and sold his land.

However as regards the prayer for anticipatory bail, the fact of the matter is that the petitioner and the complainant are close relatives being

Bhanja and *Mama* and the FIR was lodged after 4 years even though both the parties belong to the same village.

Learned counsel for the complainant has argued that the FIR was lodged, immediately after the complainant came to know of the fraud but otherwise accepted that the FIR was lodged 4 years after the sale.

In view of this time lapse, I do not deem it appropriate to deny concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 23.09.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

01.12.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No