

C.R.M-M No.42207 and 37975 of 2015

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

Sr. No.204

C.R.M-M No.37975 and 42207 of 2015

Date of decision : 25.07.2016

Devender Sharma

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.P. Chahar, Advocate
for the petitioner.

Mr. Kuldeep Tewari, Addl. A.G., Haryana

Mr. J.S.Mehndiratta, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

Vide this common order above mentioned two petitions are being
disposed of as the controversy involved in both the cases is the same.

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These are two petitions under Section 438 Cr.P.C for anticipatory bail filed by the same accused in two FIRs No.675 and 601 dated 26.10.2015 and 23.09.2015 under Sections 420/467/468/472/120-B of IPC and under Sections 420/467/468/471/406/506/120-B IPC at police station City Jagadhri, District Yamuna Nagar respectively which arise out of the same transaction. The main allegation is that a plot was sold to the complainant by one Omkali but the woman who had appeared was not Omkali and that woman had been identified by the petitioner.

It has further been alleged that in order to dupe the complainant the petitioner had also produced a forged agreement to sell in his favour by Omkali and by use of that forged document had succeeded in obtaining anticipatory bail. Thereafter in order to obtain anticipatory bail the petitioner and his co-accused manufactured another document which was an ostensible agreement to sell by the duped person in favour of a co-accused.

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Learned counsel for the petitioner is not in a position to deny the fact that the real owner Omkali never appeared before the Tehsildar.

In this view of the matter, I do not see any reason to continue the interim protection and consequently dismiss both the petitions.

A photocopy of this order be placed on the file of another connected case.

July 25, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No