

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.40270 of 2015

Date of Decision:-11.01.2016

Hem Singh Bharana.

.....Petitioner.

Versus

State of Haryana.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jasjit Singh Bedi, Senior Advocate assisted by
Mr. Vineet Sehgal, Advocate for the Petitioner.

Mr. Charanjit Bakshi, Additional Advocate General, Haryana
assisted by SI Surinder Singh.

Mr. Chanchal K. Singla, Advocate for the Complainant.

JASWANT SINGH, J.(ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Hem Singh Bharana in case FIR No.440 dated 26.09.2015 for offences punishable under Sections 7-A, 10 of The Haryana Development and Regulation of Urban Areas Act, 1975 (hereinafter referred to as the 1975 Act) read with Section 406 and 420 of Indian Penal Code (added later on), registered with Police Station Rajendra Park, Gurgaon.

As per the allegations levelled by the District Town Planner, Gurgaon the petitioner has collected money in the present FIR from investors for construction and allotment of group housing flats without

obtaining any prior licence under the 1975 Act and thus violated the provisions of Section 7(i) of the 1975 Act punishable under Section 10(2) of the 1975 Act.

Neither collected amounts have been refunded nor flats allotted.

It is submitted by the learned State Counsel that in the present FIR there are around 155 aggrieved unallottees. However, till today, statements of 104 such unallottees with details of outstanding amount have been collected. The details about the remaining are in the process of being collected and finalized.

It is also not in dispute that the present petitioner is already in custody in two other FIRs involving identical allegations qua other allottees and unallottees. However, at the time of hearing, certain overlapping of such 60 allottees is sought to be canvassed. It is also urged that a wholesome scheme for satisfying all the unallottees has been prepared. However, the same is not on record of the present case nor it can be inferred from the police file.

At this stage learned Counsel for the petitioner prays for permission to withdraw the present petition.

Dismissed as withdrawn.

(JASWANT SINGH)
JUDGE

January 11, 2016
Vinay