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

**CRM-M-33510-2017 [O&M]**

**Date of Decision:- December 16, 2017**

Navneet Kumar Nayar

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN**

Present: Mr. Vikram Chaudhary, Senior Advocate,  
with Mr. Harshit Sethi, Advocate,  
for the petitioner.

Mr. Munish Dev Sharma, AAG, Haryana  
for the respondent State.

Mr. Vikram Bishnoi, Advocate,  
for the complainant.

**SHEKHER DHAWAN, J.**

Present petition under Section 439 Cr. P.C., for grant of regular bail in case bearing FIR No.92 dated 07.03.2016 registered under Section 420 IPC (Sections 406, 506 and 120-B IPC added later on) at Police Station City, Bahadurgarh.

2 Learned counsel for the petitioner contended that the petitioner is in custody since 28.07.2017 and he has been falsely implicated in this case. The offence alleged against the petitioner are triable by the Court of Magistrate and trial shall take sufficient long time. More so, co-accused have already been released on bail. So he be released on bail.

3. Learned State counsel as well learned counsel for the complainant contended that the petitioner is involved in a case of cheating

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amounting to Rs.50.00 lacs and the present petitioner had also filed suit for declaration regarding purchase of plot bearing No. 1289 on 18.5.2016 , which shows the intention of the present petitioner. There is no ground to release the petitioner on bail.

4. Having considered the submissions made by learned counsel for the parties and the fact that the present petitioner is the main accused in this case and he has mis-represented the fact that he and his wife Sunita were owners of the constructed plot No. 1289, where they were running a factory and on that representation, the complainant entered into an agreement. At that time, assurance was also given by the petitioner that the plot was free from all encumbrances and on the basis of that, the complainant agreed to purchase the same for a consideration of Rs.60.00 lakhs and earnest money of Rs.50.00 lakhs was paid to the petitioner. Thereafter, the petitioner failed to get the sale deed executed. Later on, the complainant came to know on 10.6.2014 that the said premises was locked by Corporation Bank and on enquiry, the complainant came to know that the present petitioner had taken a loan of Rs.1.55 Crores by mortgaging the said property and thereafter refused to make the payment and cheated the complainant. Filing of civil suit (Annexure P/7) for declaration against Manjit Singh also indicates his dis-honest intention and as such, the present petitioner does not deserve the concession of the bail.

5. The petition stands dismissed.

**December 16, 2017**  
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**( SHEKHER DHAWAN )**  
**JUDGE**