

Sr. No.206

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-8271 of 2017 (O&M)

Date of Decision:21.03.2017

Vinod

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sukesh K. Jindal, Advocate,
for the petitioner.

Mr. C.S.Bakhshi, Additional A.G., Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.444 dated 05.10.2016, under Sections 406, 420, 467, 468, 471, 120-B IPC, registered at Police Station Ganaur, District Sonapat.

Counsel for the parties have been heard.

As per prosecution version, the present petitioner has allegedly acted in connivance with one Suresh Patwari and has impersonated himself i.e. Vinod Kumar son of Pirthi to be the owner of the land ad measuring 7 acres and 5 kanals and having thereby facilitated Suresh Patwari entering into an agreement to sell, collaboration agreement and power of attorney in respect of such land with the complainant.

The present petitioner is Vinod son of Raghbir. The real owner who he had allegedly impersonated is Vinod Kumar son of Pirthi.

During the course of arguments, it has gone uncontroverted that an amount of Rs.34,93,437/- were deposited in the account of the present

petitioner by way of demand draft and such amount was thereafter withdrawn by the petitioner. That apart Rs.3 lakhs in cash were also received by the petitioner.

Petitioner has been in custody since 15.01.2017.

Learned counsel appearing for the petitioner would vehemently contend that even though the afore-noticed amount i.e. by draft and by cash had been received by the petitioner but the same after withdrawal was made over to co-accused Suresh Patwari and who in turn passed on the amount to the real owner i.e. Vinod Kumar son of Pirthi and who forfeited the amount belonging to the complainant on the basis that the sale deed had not been executed within the stipulated time frame.

The gravity of the charge against the petitioner weighs with this Court to deny to him regular bail. The heavy amount of Rs.35 lakhs approximately was received in the account of the petitioner without there being any consideration in law. Suresh Patwari who would be seen as the main accused in the case is still on the run.

Prayer made in the present petition is declined at this stage.

Petition dismissed.

21.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No