

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

CRM-M-8563 of 2017 (O&M)

Date of decision: 18.05.2017

Parmod

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Manoj Sharma, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Parminder Singh, Advocate for respondent No.2.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 705 dated 27.12.2016, registered under Sections 420, 406, 506 and 120-B of IPC, at Police Station Gharaunda, District Karnal.

It is contended that petitioner is neither the signatory nor the beneficiary of the agreement to sell. The learned counsel refers to Annexure P-2 to contend that the amount so received by co-accused Charanjit, the cheque thereof had been issued in favour of the complainant. The petitioner is not recipient of any money. The petitioner has been falsely implicated in the instant case. Nothing is to be recovered from him.

On the other hand, the learned State counsel as well as learned counsel for respondent No.2 oppose the bail application.

Heard.

As per record, the amount of Rs.37 lakh was paid to accused including the petitioner, out of which Rs. 14 lakh was retained by the petitioner whereas the remaining amount was shared by co-accused Charanjit, Bakshi Ram and Mulkh Raj who have allegedly sold the land owned by Wakf Board to the complainant. The amount is yet to be recovered. Keeping in view the above, this Court feels that it is a fit case where custodial interrogation of the petitioner is required to know his modus operandi. Therefore, no case for pre-arrest bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

18.05.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No