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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 134/2017**

DHEERAJ TYAGI

..... Petitioner

Through: Mr. Rambir Chauhan, Advocate.

versus

STATE (GOVT OF NCT DELHI) & ORS

..... Respondents

Through: Ms. Radhika Kolluru, APP along with
SI Vijay Kumar, PS-Burari, for the
State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
23.01.2017

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Crl.M.A. No. 1270/2017

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 134/2017

The petitioner has preferred the present bail application under Section 438 Cr.P.C. apprehending arrest in case FIR No.1581/2015 registered at PS – Burari under Section 420/ 34 IPC.

The allegation against the petitioner is that he along with other co-accused had sold a plot of land admeasuring 400 square yards to the complainant claiming the same as their property for a sum of Rs.20 Lakhs, out of which Rs.1 Lakh was shown as the sale consideration. However,

subsequently, the Gaon Sabha claimed the said land and even demolished the boundary wall of the complainant.

Subsequently while entertaining the bail application of the co-accused Shiv Kumar Tyagi, who is the father of the present applicant, a settlement was reached, whereunder Shiv Kumar Tyagi – on his own behalf and on behalf of the other accused, agreed to deliver a plot admeasuring 400 square yards in favour of the complainant in the area of Burari free from all encumbrances and also to transfer possession of the plot by executing necessary documents. Even the said settlement has not been honoured.

The order passed by the learned ASJ dated 23.11.2016 dismissing the anticipatory bail application of the petitioner reveals that the petitioner is involved in several other such transactions in Burari area. The property papers of the land, which is now sought to be transferred to the complainant under the settlement particularising the area to be transferred to the complainant, have not been delivered raising doubts about the bona fide of the petitioner and the other co-accused. Seven other cases have been registered involving more or less similar allegations.

Ms. Kolluru submits, on instructions, that application to seek cancellation of the protection granted to Shiv Kumar Tyagi has already been moved before the Trial Court.

In these circumstances, I am not inclined to grant any relief.

Dismissed.

VIPIN SANGHI, J

JANUARY 23, 2017

B.S. Rohella