

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No.M-10786 of 2018 (O&M)
Date of decision : 17.07.2018

Krishan Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S.K.Tripathi, Advocate
for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(Oral)

Reply by way of affidavit of Veer Singh, HPS, Assistant Commissioner of Police, Pataudi, Gurugram has been filed. Same is taken on record. Coy has been supplied to the opposite counsel.

The petitioner has preferred the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.449 dated 04.10.2017, registered under Sections 420, 467, 468, 471 IPC at Police Station Pataudi, District Gurugram.

Briefly stated, it is a case of the prosecution that Smt. Dan Kaur wife of Tara Chand was a co-sharer of the certain land situated in Village Padniyawas, Tehsil & District Rewari. Her grand son Vinod Kumar son of Rattan Lal by impersonating Dan Kaur got a transfer deed No.122 dated 08.04.2016 and got mutation No.1128 sanctioned in his favour and Dan Kaur is still alive. It is further a case of the prosecution that petitioner in connivance with said Vinod Kumar has represented before

complainant Kuldeep Kumar that said Vinod Kumar is the real owner and the complainant purchased the land. The agreement to sell was executed and earnest money was received by Vinod Kumar but ultimately it came to the notice of the proposed vendee that said transfer deed was obtained by forgery and by impersonation.

Learned counsel for the petitioner has stated that prima facie no case is made out against the petitioner. He has also argued that Vinod Kumar in whose account the amount was transferred has already been granted bail.

Heard.

The bail is sought solely on the ground that petitioner has already joined the investigation and nothing is to be recovered from him. But keeping in view his role, this Court is of the view that he is not entitled to the benefit of anticipatory bail. However, perusal of the record shows that Vinod Kumar was granted regular bail.

In view of aforesaid discussion, the instant petition stands dismissed.

17.07.2018

mamta-M

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No