

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

CRM-M-12586 of 2018(O&M)

Date of Decision:02.05.2018

Jagdish

.....Petitioner

V/S

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.S.N.Yadav & Mr.S.R. Hooda, Advocates
for the petitioner.

Mr.Ashish Yadav, Addl. A.G. Haryana.

Mr.Rajdeep Sehrawat and
Mr.Swatanter Pratap, Advocates for the complainant.

TEJINDER SINGH DHINDSA, J. (ORAL)

CRM No.15873 of 2018

Application is allowed as prayed for.

Objections on behalf of the complainant along with documents at
Annexures R-1(colly.) and R-2 are taken on record.

Complete copy already stands furnished to counsel opposite.

Main case

Instant petition has been filed under Section 438 Cr.P.C. seeking
concession of pre-arrest bail to the petitioner in case FIR No.86, dated
28.02.2018 under Sections 406/420/506 IPC, registered at Police Station Line
Paar, Bahadurgarh.

Briefly, it may be noticed that the FIR came to be registered on the
statement of complainant, namely, Rinku Devi wife of Nirmal Chaudhary and
the allegations are against the present petitioner as also co-accused Shakti
Singh and Gaje Singh as regards the amount ranging from Rs.7,000/- to

10,000/- per square yards having been taken from several persons and
Anjal Gupta
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authenticity of this document
Chandigarh

agreements to sell having been entered into while handing over the possession of plots of various sizes. But, thereafter, sale deed having not been executed in favour of the vendees and after a lapse of almost six years from the date of entering into agreement to sell, threats being issued to take over the possession of the plots, as also construction effected upon the plots in the interregnum.

Having heard counsel for the parties at length, this Court is of the considered view that the petitioner is not entitled to the concession of anticipatory bail.

Placed on record at Annexure R-2 along with the objections filed on behalf of the complainant is true and typed copy of the anticipatory bail application filed by the petitioner before the learned Sessions Judge, Jhajjar.

The contents of the application are not disputed by counsel representing the petitioner. In para 2 of such application, a case of complete denial was set up. It was averred that the petitioner at no point of time had entered into any agreement to sell, nor was an attesting witness of such alleged agreement.

After rejection of such application by the Court below, instant petition was filed in this Court and in para 4 of the petition, a different stand was taken stating that petitioner had entered into agreement to sell dated 21.02.2013 with only two persons, namely, Rukmani for a plot admeasuring 35 square yards and one Sukhdev, for a plot admeasuring 26 square yards.

In the objections filed on behalf of the complainant, documents were placed on record at Annexure R-1 (Colly.) which apparently reflected entering into of six agreements to sell by the petitioner with six different vendees.

Confronted with such documents, Mr.S.N. Yadav, counsel for the petitioner now concedes to even these six agreements to sell.

Clearly petitioner has not approached this Court with clean hands.

It is a case where the petitioner has made repeated attempts to hood-wink this Court.

Petitioner by virtue of his conduct, has dis-entitled himself for grant of concession of pre-arrest bail.

Even otherwise, the allegations against the petitioner are serious in nature and the same would require a deep and thorough probe and may well entail custodial interrogation of the petitioner.

In view of the above, prayer made in the instant petition is declined.

Petition stands dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

02.05.2018

Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No