

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CRM-M-36240 of 2015
Date of Decision: 13.08.2018

Sanjay SharmaPetitioner

VERSUS

State of HaryanaRespondent

2. CRM-M-39583 of 2015

Sunita SharmaPetitioner

VERSUS

State of HaryanaRespondent

3. CRM-M-20211 of 2016

Raj KumarPetitioner

VERSUS

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Chaudhary, Advocate
for the petitioner in CRM-M-36240-2015.

Mr. R.S. Randhawa, Advocate
for the petitioner in CRM-M-39583-2015.

Mr. Sanjiv Kumar Aggarwal, Advocate
for the petitioner in CRM-M-20211-2016.

Mr. Deepak Sabharwal, Addl. A.G., Haryana.

Mr. D.D. Sharma, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 438 Code of

Criminal Procedure for grant of anticipatory bail to petitioners in case FIR

No. 472 dated 02.09.2013 registered for offences punishable under Sections

420/465/467/468/471/120-B of Indian Penal Code, at Police Station Central Faridabad, District Faridabad.

Heard.

Petitioners in these petitions have purchased land, which was originally owned by M/s Green Estate @ HRE Plot Holders Association.

As per case of prosecution, Satpal Sethi, who was member of above Association/Society in connivance with other persons, namely, Kishan Lal Sharma, Govind Ram Awana etc. fabricated certain resolutions of Association/Society and on the basis of those resolutions fake transfer of land of the Society was made vide various transfer deeds. Petitioner-Sanjay Sharma in CRM-M-36240-2015 had purchased 15 *kanals* 15 *marlas* of land from M/s Shivam Sales Corporation while petitioner-Sunita Sharma in CRM-M-39583 of 2015 had purchased 04 *kanals* 05 *marlas* of land from S.P. Sethi and petitioner-Raj Kumar in CRM-M-20211-2016 had purchased 105 *kanals* 16 *marlas* of land vide three sale deeds executed in his favour by Govind Ram Awana and Dinesh Sharma.

Learned State counsel submits that vide judgment dated 04.03.2017 passed by Civil Judge (Jr. Division), Faridabad all the sale deeds executed by M/s Shivam Sales Corporation have been set aside while Delhi High Court vide its judgment dated 14.02.2013 passed in C.S. (OS) No. 630 of 2006 has declared that Inderjit Singh Bedi, Kishan Lal Sharma, Govind Ram Awana, Rishi Pal Lohia and Satpal Sethi were not members/elected office bearers of the Association/Society.

Keeping in view the fact that petitioners, namely, Sanjay Sharma, Sunita Sharma and Raj Kumar Sharma are subsequent purchasers and all the allegations against them are based on documentary evidence,

these petitions are allowed and orders dated 20.10.2015 passed in CRM-M-36240-2015, 26.11.2015 passed in CRM-M-39583-2015 and 03.06.2016 passed in CRM-M-20211-2016 are made absolute till the presentation of challan, subject to the following terms:-

- (i) that petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that petitioners shall not leave India without the prior permission of the Court.
- (iv) that petitioners will seek regular bail on the presentation of challan in Court.

August 13, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No