

Sr. No.101

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

CRM No. M-9904 of 2018 (O&M)

Date of Decision: 27.03.2018

Vijay Pal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Abhimanyu Singh, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.454 dated 03.11.2017, under Sections 420, 467, 120-B, 506 IPC, registered at Police Station Ferozepur Jhirka, District Nuh.

Counsel for the petitioner has been heard.

FIR came to be registered on the allegations that present petitioner along with two other co-accused had sold a chunk of land measuring 79 kanals 14 marlas to Reeta Chauhan and Rakhi Chauhan for a total sale consideration amount of Rs.01 crore 30 lacs vide sale deed dated 02.09.2013 and by keeping the purchasers in the dark that a litigation was already pending qua the same very land. It has been alleged that subsequently in the year 2016, the civil litigation having matured and a suit for specific performance having been decreed the complainants have had to part with the parcel of land.

During the course of arguments, counsel concedes that in the sale deed executed on 02.09.2013 present petitioner was reflected as an owner.

It has also been conceded that as on such date i.e. 02.09.2013, there was a suit for specific performance already instituted pertaining to the same parcel of land.

On a specific query having been put to counsel as to whether there was a recital in the sale deed regarding Reeta Chauhan and Rakhi Chauhan being put to knowledge regarding pending litigation, the response has been evasive. Counsel has also not placed on record copy of the sale deed.

Prima facie this Court is convinced that there has been an intent on the part of the petitioner to cheat the complainants and to misappropriate the sale consideration amount.

Against the backdrop of the serious allegations and gravity of the offence, this Court is not inclined to extend in favour of the petitioner the concession of pre arrest bail.

Petition dismissed.

27.03.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No