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

+ **BAIL APPLN. 793/2018**

ANIL KUMAR

..... Petitioner

Through: Mr. Anil Bhasin and Mr. Radhey
Shyam, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Dr. M.P. Singh, APP for State with SI
Ankur, P.S. Subzi Mandi.
Mr. Dignvijay Singh, Adv. for
Complainant.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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12.04.2018

Complainant has alleged in the FIR that petitioner had engaged him to construct the house no. 8095-8097, Khariya Colony, Roshnara Road, Subzi Mandi, Delhi-07, owned by wife of the petitioner for a sum of ₹18 lacs. Complainant constructed the said property, however, petitioner did not pay ₹18 lacs to him on the ground that he did not have any money on account of de-monetisation. Petitioner assured that he will register second floor of the aforementioned house in the name of complainant. Accordingly, possession of the second floor was given by the petitioner to the complainant on 10th June, 2017, however, subsequently on 29th December, 2017 petitioner forcibly took the possession of the second floor by breaking the lock and

inducted tenant in the said floor. The case of the complainant is that petitioner had induced him to raise construction on the plot on payment of ₹18 lacs. Subsequently, petitioner failed to make payment and further induced the complainant to take possession of second floor of the house which was, in fact, handed over to him. But subsequently, second floor was forcibly occupied by the petitioner by breaking the lock.

Keeping in mind the above facts, I am of the view that no case of grant of anticipatory bail is made out. Bail application is dismissed. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

APRIL 12, 2018

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