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

+ **BAIL APPLN. 2338/2018, CRL MA 33553/2018**

MUNSHED ALI & ANR

..... Petitioners

Through Mr. Mohit Mathur, Sr. Adv with Mr.
Javed Ahmad & Mr. Syed Maria
Aijaz, Advs

versus

STATE OF NCT DELHI

..... Respondent

Through Ms. Aashaa Tiwari, APP for State
SI Shri Narayan, PS Karol Bagh
Ms. Shikha Sapra, Adv for
complainants

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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11.10.2018

It is alleged in the FIR by the complainants that petitioners had agreed to sell 200 bighas of land situated at Mauza Sarkari Khumar, District and Tehsil Saharanpur, U.P. @ ₹8 lacs per bigha. Agreement to sell was executed by the petitioners after taking ₹46 lacs towards earnest money. Subsequently it was revealed that petitioners were not even owners of the said land.

Learned senior counsel for the petitioners submits that petitioners had entered into an agreement to sell with the original owners of the land, namely Mohd. Ayud, Mohd. Liyaqat, Murtazar, Haji Hanif, Mohd. Riyasat and Farman, on 1st April, 2015

Learned APP submits that the original owners of the land were contacted and they have denied having executed any agreement to sell

in favour of petitioners. It is further contended that even otherwise, petitioners did not derive any right, title or interest in the land in question by virtue of the alleged Agreement to Sell. They had no right to sell the said land to any third party. Learned APP submits that petitioner no.1 has past criminal history and is involved in as many as 10 criminal cases.

Keeping in mind the serious allegations against the petitioners, I am of the view that petitioners are not entitled to anticipatory bail.

Application is dismissed. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J

OCTOBER 11, 2018

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