

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

(i)

CRM-M-27361-2019 (O&M)

Mahant Gian Dev Singh Chela Swami Lal Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

(ii)

CRM-M-27364-2019 (O&M)

Jasbir Singh Chela Mahant Teja Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

(iii)

CRM-M-27374-2019 (O&M)

Davinder Singh Chela Mahant Ravel Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

Date of Decision: July 24, 2019

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.S.Rai, Senior Advocate with
Mr. Jai Vir Yadav, Mr.Kunal Dawar and
Mr. Rishi Pal Singh, Advocates
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana
for the respondent-State.

Mr. J.S.Bedi, Senior Advocate with
Mr. Ashit Malik and Mr. Sangram Singh Saron, Advocates
for the complainant.

INDERJIT SINGH, J.

All the above-mentioned cases are taken up together as these have arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C. for grant of anticipatory bail in a case FIR No.527 dated 12.06.2019, under Sections 120-B, 406, 420, 467, 468 and 471 of the IPC, registered at Police Station City Thanesar, District Kurukshetra.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested these petitions.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that FIR, in the present case, has been got registered by complainant-Mahant Resham Singh. As per the version of complainant in the FIR, the present petitioners, who were the Executive Members of the Committee, had sold about 05 acres land of Panchayati Akhara Nirmala, without any necessity by forging a resolution dated 21.08.2005 and a huge embezzlement of amount has been committed.

Learned counsel for the complainant has argued that the resolution is also not valid one and not signed as per the trust deed. He further argued that the property was sold by showing very less value in the sale deed, but it was actually sold for a higher price and the difference amount has been embezzled and misappropriated by the petitioners. He further contended that the petitioners had sold the plots in the year 2010 at the rate of Rs.3200/- per square yards and thereafter, the property to the

school has been sold at the rate of Rs.6400/- per square yards within one year, which itself shows that sale value has been shown less by the petitioners and crores of rupees have been misappropriated by them. He further argued that valuable property at Kurukshetra has been sold and then 22 acres of land at Kaithal have been purchased. All this has been done by the petitioners only to misappropriate crores of rupees. Learned counsel also relied upon some agreement, which though not directly executed by the petitioners, to show that the petitioners have conspired in such a way that agreement to sell was executed by some other persons with the real owner regarding the same property, which is part of the sale deed between the petitioners and their relative or the same person who is vendee in the agreement.

On the other hand, learned counsel for the petitioners argued that the petitioners had sold the property as per the resolution and they were authorized to sell the same. He further contended that the petitioners have purchased 22 acres of land and the remaining amount out of sale consideration of Rs.7 crore, was deposited in the account of the Akhara.

Keeping in view the facts and circumstances of the present case and after going through the documents placed on record, however, without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that serious allegations of misappropriation have been levelled against the present petitioners and they are required for custodial interrogation. Therefore, no ground for grant of anticipatory bail to the petitioners is made out.

CRM-M-27361-2019,
CRM-M-27364-2019 and
CRM-M-27374-2019

Finding no merit in the present petitions, the same are
dismissed.

July 24, 2019
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No