

CRM-M-54884 of 2018

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

CRM-M-54884 of 2018
Date of Decision: 11.01.2019

Anil and others

...Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Ravi Malik, Advocate,
for Mr. M.S. Rana, Advocate, for the petitioners.
Mr. Raj Kumar Makkar, Sr. DAG, Haryana.
Mr. Dinesh Saini, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Learned counsel has filed vakalatnama on behalf of the complainant on his own, though she has not been impleaded as party. The same is taken on record.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioners in case FIR No.1170 dated 20.11.2018 registered under Sections 406, 420, 506 and 34 IPC at Police Station Sadar Hisar, District Hisar.

According to the prosecution, petitioners in connivance with their co-accused cheated and defrauded the complainant for ₹24.00 lakh.

Learned counsel for the petitioners *inter alia* contends that brother-in-law of petitioner No.1, namely, Raj Kumar, purchased a plot from the husband of the complainant. Husband of the complainant, became dishonest and did not execute the sale deed in favour of brother-in-law of

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petitioner No.1 and to usurp the sale consideration, complainant has lodged the impugned FIR.

On the other hand, learned State counsel assisted by learned counsel for the complainant, refuting the above submissions, contends that even eyewitnesses, including the Nambardar have got recorded their statements under Section 161 Cr.P.C. before the investigating officer that the petitioners were the mediators of the entire transaction and they had taken ₹24.00 lakh.

Heard.

Considering the seriousness of allegations, petition is dismissed as the petitioners are required for custodial interrogation to recover the cheated amount.

January 11, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No