

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

201

**CRM-M-21619-2020
Decided on : 10.09.2020**

Amudeen

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Naveen Sharma, Advocate
for the petitioner(s).

Ms. Rashmi Attri, AAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 370, dated 18.10.2019, registered under Sections 427, 120-B IPC and Section 52A of the WAQF Act, 1995, at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR in question, as there was nothing on record to show that the petitioner had encroached upon the land of the Waqf Board. He further contends that in fact, the petitioner has been falsely implicated at the behest of land mafia. Moreover, he has submitted that no offence is made out under Section 52A of the Punjab Waqf Board Act.

Heard.

A perusal of the FIR reveals that the land measuring approximately 124 Kanals was leased out by the Punjab Waqf Board to one Telu Ram in the year 2013-14. Said Telu Ram, thereafter, illegally transferred approximately 57 Kanals, out of this land to one Lakhbir Singh, who in turn, further transferred the land to the petitioner. Thereafter,

petitioner started raising construction on the said land, which had been illegally acquired by him. When the officials of the Waqf Board came to know about the illegal construction being raised by the petitioner, they went to the spot, however, the petitioner fled away from there.

It is a large chunk of land in the heart of Jalandhar, which has allegedly been illegally changing hands.

The contention of the petitioner that he is being falsely implicated in the FIR in question at the hands of land mafia does not appeal to reason, rather, *prima facie* there seems to be some complicity of the land mafia with the petitioner, for which, his custodial interrogation would definitely be required by the investigating agency.

In the circumstances, no ground is made out to extend the extraordinary concession of anticipatory bail to the petitioner.

Dismissed. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 10, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*