

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

Sr. No.103

CRM-M-21803-2020

DATE OF DECISION: August 06, 2020

WAZIR CHAND

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Akashdeep Singh, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks anticipatory bail in FIR No.12, dated 10.01.2020 registered at Police Station I.M.T. Rohtak, District Rohtak, under Sections 120-B, 420, 467, 468, 471 IPC.

According to the FIR, the petitioner sold a plot of land to the complainant for a sum of ₹66.98 lacs. The money was paid in cash and possession was handed over at the spot with the understanding that the petitioner would get a registered sale deed executed as and when desired by the complainant. When the complainant approached the petitioner for registration of sale deed, he started giving excuses. On making further inquiries, it transpired that the true owner of the plot of land was one Kitabo Devi and that the petitioner had taken possession thereof by virtue of a full payment agreement with said Kitabo Devi. Subsequently, a registered sale deed was executed by Kitabo Devi in favour of the wife of the petitioner who further sold it to a third party. Thus, the petitioner was cheated.

Learned counsel for the petitioner submits that the complainant has filed a suit for specific performance on the basis of agreement to sell allegedly executed by the petitioner. In the reply filed on behalf of the petitioner, the said agreement has been denied. Thus, it is apparent that the dispute is of civil nature and no criminality is involved.

The argument does not appeal to me. As per the contents of the FIR, the petitioner has cheated the complainant by representing himself to be the registered owner of the plot in dispute. The plot has subsequently been sold by the wife of the petitioner in favour of a third party. These facts disclose criminal intent on the part of the petitioner. A large sum of money is involved and at this stage, I see no valid ground to grant the petitioner the concession of anticipatory bail.

The petition is accordingly dismissed.

August 06, 2020
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No