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CRM-M-30038-2021

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

CRM-M-30038-2021

Date of Decision: 30.07.2021

Bharat Khanna

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Nandan Jindal, Advocate,
for the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana.

Mr. R.S. Mamli, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'pre-arrest bail' upon FIR no. 194 having been registered at Police Station City Fatehabad, on 25.04.2021, alleging therein the commission of offences punishable under the provisions of Sections 406/420/120-B of the IPC.

Learned counsel for the petitioner submits that on an identical set of allegations (though not by the complainant in the present FIR), FIR No. 12, dated 03.01.2020, already stands registered at Police Station Economic Offences Wing, Delhi, with the report under the provisions of Section 173 (2) of the Cr.P.C. already having been submitted to the competent court there, and with the petitioner having been admitted to bail vide an order passed by the learned Additional Sessions Judge (Vacation Judge), Dwarka Courts, Delhi, on 28.12.2020 (copy Annexure P-3).

He further submits that the petitioner has filed a Writ Petition (Crl.) no. 295 of 2021 before the Supreme Court of India seeking transfer of the investigation in the FIR in question presently, (registered at Police Station, City Fatehabad), in which notice has been issued by the Apex Court and that the matter would be coming up before that court (with the tentative date of hearing before the Apex Court being 03.09.2021).

Upon query as to whether the petitioner had even applied for any license to the Delhi Development Authority or the Government of Delhi for carving out a colony etc. in Delhi, he points to the aforesaid order of the learned Additional Sessions Judge, Delhi, wherein it was noticed that the total land purchased by the society of which the petitioner is the President, had already been 'deposited with the DDA' as per the land pooling policy of that Authority (through one Vanshi Buildtech Private Limited),

He further submits that in fact the land was purchased by the petitioner society from the aforesaid Vanshi Buildtech and an agreement has been entered into by the society with the said company for that purpose (copy Annexure P-8) .

However, it is seen that Annexure P-8 which is referred to by him in support thereof, is actually an agreement of sale dated 14.09.2019 qua certain agricultural land.

Upon specific query, he also submits that there is no sale deed executed in favour of the petitioner or 'his society' by Vanshi Buildtech, thereafter.

In view of the above, I would see absolutely no reason to admit the petitioner to anticipatory bail in the aforesaid circumstances.

Consequently, without making any comment on the actual merits of the case, this petition is dismissed.

It is again made clear that nothing observed hereinabove will be taken to be a comment on the actual merits of the case for or against the petitioner, which would be wholly gone into as per evidence gathered and led before the trial court (if it comes to that stage).

July 30, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.