

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

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**CRM-M-31859-2021 (O&M)
Date of Decision: 14.09.2021**

Ishwar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Raman Chawla, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Vishal Sharma, Advocate, for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.147 dated 01.06.2021 at Police Station Siwani, District Bhiwani, under Sections 419/420/467/468/471/120-B IPC.
2. The FIR in question was lodged at the instance of Renu, wherein it is alleged that some land had been allotted in the name of her father Banarasi Das and his two brothers Munshi Ram and Om Parkash upon partition of India and Pakistan. The said land was situated in village Siwani, District Bhiwani. It is alleged that complainant's father Banarasi Das expired on 23.08.1993 and his brother Munshi Ram expired on 24.03.1995. It is alleged that the said land has now,

- however, been sold by Ramesh Chander on 03.09.2015 by professing himself to be an attorney by virtue of Attorney No.04579 dated 30.07.2015 of Banarasi Das, Om Parkash and Munshi Ram in respect of land measuring 39 kanals and 18 marlas, whereas the said persons had already expired. It is alleged that the said land had been sold to Ishwar Singh (petitioner), Budh Ram and Satbir.
3. Learned counsel for the petitioner has submitted that he himself has been cheated and defrauded by the aforesaid attorney Ramesh, as the petitioner had given the sale consideration to aforesaid Ramesh. It has further been submitted that the power of attorney in favour of Ramesh was found to have been genuinely registered in the State of Calcutta and that as such, the petitioner being a bona fide purchaser for consideration cannot be said to have committed any offence and in fact he himself is a loser.
 4. Opposing the petition, learned State counsel assisted by counsel for the complainant has submitted that the complicity of the petitioner is clearly evident inasmuch as the petitioner and the deceased, owners of the land in question, are all residents of Siwani. Learned State counsel has further informed that purchasers Budh Ram and Satbir are none else, but brothers of the attorney Ramesh and that the said persons and also the petitioner were all property dealers and by dubious means had got the sale deed executed by showing the dead men alive and by way of forging a power of attorney of dead persons.
 5. I have considered rival submissions addressed before this Court.
 6. Having regard to the fact that the petitioner cannot be said to be an outsider and can be expected to be well aware about the owners of the land in question and while also noticing that the petitioner apparently

seems to have joined hands with not only the attorney, but also with the brothers of the attorney, who are co-purchasers along with the petitioner, his complicity is clearly evident. There is no special case for grant of anticipatory bail. The petition is sans merit and is hereby dismissed.

14.09.2021
VY

(GURVINDER SINGH GILL)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No