

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

214

CRM-M-6456-2022 (O&M)

Date of Decision: 23.09.2022

MAHESH BANSAL

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

Mr. Akshit Grover, Advocate
for complainant/respondent No.2.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.67 dated 24.01.2022, registered under Sections 380, 406, 420, 448 and 34 IPC, at Police Station Shivaji Colony, Rohtak, District Rohtak.

Learned counsel for the petitioner submits that a civil dispute, pending between the parties, has been given the cloak of criminal proceedings; that the petitioner and his wife are the owners of the property in dispute; that the agreement in question was executed on 27.07.2015 and that till date, no suit for specific performance has been filed. He further submits that raising similar set of allegations, another FIR No.58 dated 21.01.2020 at Police Station Shivaji Colony, District

Rohtak, was registered against the petitioner and others, which is without any evidence and in the said FIR, the petitioner and his wife, have been granted the concession of interim bail by a Coordinate Bench of this Court, vide order dated 19.08.2020. Still further, it is submitted that the alleged money transaction, which was done through cheque, is a monetary dispute and is going on since long between the parties and that the petitioner has never sold the property in dispute, at any stage.

On the other hand, learned State counsel and learned counsel for complainant/respondent No.2 submit that the complainant has paid a sum of Rs.13,50,000/- to the petitioner and his wife, pursuant to which the original sale deed dated 03.04.2015 of the house in question was handed over to the complainant. They further submit that full and final payment was also made and qua that, there is an endorsement No.1342 in the Register of the Notary and that the possession of the house was given to the complainant on 27.07.2015. Still further, it is submitted that earlier also, on a similar set of allegation, FIR No.58 dated 21.01.2020, under Sections 380, 447, 448, 451, 506 and 34 IPC, at Police Station Shivaji Colony, Rohtak, was registered against the petitioner.

Learned counsel for the complainant further submits that a compromise was executed in the presence of the Investigating Officer, wherein the petitioner has admitted that the complainant is in the possession of the house in dispute.

I have heard the learned counsel for the parties.

In view of the submissions made by the learned State

counsel and learned counsel for the complainant and the specific allegations levelled against the petitioner, no ground is made out to grant him the concession of anticipatory bail.

Dismissed.

23.09.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No