

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

CRM-M-53560-2021 (O&M)

Date of decision: 04.02.2022

Zameel Ahmad

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Pranjal P. Chaudhary, Advocate, for the petitioner.
 Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.
 Mr. M.M. Pandey, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No. 488 dated 03.10.2021, under Sections 420, 406 and 120-B of the Indian Penal Code, 1860, registered at Police Station Palla, District Faridabad.

Learned counsel for the petitioner contends that being property dealer, the petitioner had got a deal struck between the complainant and Jasvir Kaur regarding the sale of the house, owned by the latter. It is further submitted that an amount of Rs.50,000/- received by the petitioner in cash

from the complainant, was handed over to Jasvir Kaur and as said Jasvir Kaur wanted the cash amount, the petitioner had given her Rs.2.0 lakh in cash and retained the cheque for the said amount. It is, thus, submitted that the petitioner did not receive any amount from the complainant. It is yet further submitted that though under the order dated 22.12.2021 passed by a Coordinate Bench of this Court, the matter was relegated to the Mediation and Conciliation Centre of this Court, in order to settle the dispute amicably, yet as the complainant demanded for Rs. 12,50,000/- and the petitioner was only in a position to pay an amount of Rs.2,50,000/-, which he is still ready to pay, the mediation could not materialise.

On the other hand, learned State counsel assisted by the learned counsel for the complainant, while controverting the submissions made by the learned counsel for the petitioner, submits that as per the receipts issued by the petitioner against the amount received by him on different dates, he is not entitled for concession of anticipatory bail. It is further submitted that the as the agreement to sell in question was executed by the petitioner showing himself to the seller, there is no substance in the assertions of the petitioner that he has falsely been implicated.

I have heard the learned counsel for the parties.

A perusal of Annexures C.2 and C.3 annexed with the reply filed by the complainant would show that various amounts i.e. Rs.50,000/- in cash, Rs.2,00,000/-, Rs.1,50,000/- and Rs.3,50,000/- by way of cheques and Rs.5,00,000/- in cash (Total Rs.12,50,000/-) was received by the petitioner.

Thus, this Court does not find any substance in the argument of the learned counsel for the petitioner that the petitioner had not received amount from the complainant.

Therefore, I do not find any ground to grant him the concession of anticipatory bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

04.02.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No