

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.103

CRM-M-6192-2023 (O&M)

Date of decision : 06.02.2023

Jagat Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Dixit Garg, Advocate, for the petitioner.

Mr. Jaivir Yadav, Sr. Advocate with
Mr. Nitish Sharma, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.470 dated 12.09.2022, registered at Police Station Palam Vihar, Gurugram, under Sections 406, 420, 467, 468, 471 & 120-B IPC

According to the contents of the FIR, the petitioner induced the complainant to enter into an agreement to sell for a four marlas plot within the *lal-dora*. Earnest money of Rs.8 lacs was received by him. For paying the balance amount, the complainant took a bank loan and sale deed was finally executed by one Chattar Singh, GPA of the true owner. Later on, it came to light that the plot stood acquired long time back by the erstwhile Haryana Urban Development Authority (HUDA).

Learned counsel for the petitioner has submitted that the petitioner is a property dealer and is not to blame. Chattar Singh has executed the sale deed based on a GPA. Money has been received by said Chattar Singh and thus, the petitioner has no role to play in the entire incident.

The submission is totally mis-placed and mis-conceived. According to the allegations made in the FIR, the petitioner was instrumental in inducing the complainant to enter into an agreement to sell. The agreement to sell was signed by the petitioner, although, he had no authority to do so. He further received the earnest money again without authority. Thus, even if, the final sale deed was executed by the true owner, it would make no difference. The property in dispute stood acquired long time back and there is no dispute regarding this fact also.

In view of above reasons, the petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

06.02.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No