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Crl.O.P.No.27335 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 of IPC in Crime No.218 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant Syed Ahamedullah has lodged a complaint stating that in the year 2010, one Abdul Pari had approached him and informed that he was selling lands at lower price and the defacto complainant's friend S.Ahmed Kapoor also supported him. Believing his words, the defacto complainant paid a sum of Rs.1 lakh to the petitioner and after executing a sale agreement, both dragged the matter stating that they are taking steps to get Government approval. They have also received another sum of Rs.1,50,000/- for getting DTCP approval and after getting approval they started to sell the land to others, when the defacto complainant questioned the same, they threatened him. Hence the complaint.



Crl.O.P.No.27335 of 2023

WEB COPY

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely roped in this case. He would further submit that it is a case of civil dispute between the parties and a criminal complaint has been given against the petitioner. He would also submit that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that there are totally two accused in this case in which the petitioners are arrayed as A1. He would further submit that the petitioner, in order to sell the property, executed a sale agreement with the defacto complainant and thereby received a sum of Rs.2,50,000/- and thereafter, neither execute any sale deed nor return the money and cheated the defacto complainant. Hence, he vehemently objected for grant of anticipatory bail to the petitioner.

5. By order dated 21.08.2023, this Court, taking note of the submissions made by the learned Government Advocate (Crl.Side), has dismissed the anticipatory bail petition to the petitioner. This is the second anticipatory bail petition.



Crl.O.P.No.27335 of 2023

WEB COPY

6. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) appearing for the respondent.

7. After perusing the earlier order and the gravity of offence committed by the petitioner, this Court finds that there is no change of circumstances.

8. Hence, this Criminal Original Petition is dismissed.

21.02.2024

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