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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-41664-2024 in/and  
CRM-M-40493-2024  
Date of decision: 22.10.2024

Abhimanyu Sharma ....Petitioner

Versus

State of Haryana ....Respondent

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**

Present: Mr. Namit Khurana, Advocate  
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Akun Sheemar, Advocate  
for the complainant.

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**AMARJOT BHATTI, J.**

**CRM-41664-2024**

This is an application for placing on record sale deed,  
jamabandi and mutation Annexure R-C/1 to Annexure R-C/3 respectively.

Learned State counsel as well as learned counsel for the  
complainant suffered no objection if present application is allowed.

For the reasons mentioned in the application as well as no  
objection by aforesaid counsels, same is allowed and the accompanied  
documents sale deed, jamabandi and mutation Annexure R-C/1 to  
Annexure R-C/3 respectively are taken on record, subject to all just  
exceptions.

**Main case**

Petitioner has filed the present petition under Section 482 of BNSS



for grant of anticipatory bail in FIR No.400, dated 21.09.2023, under Sections 420, 406, 447 and 120-B IPC, registered at Police Station Gandhi Nagar, Yamuna Nagar, District Yamuna Nagar.

2. As per facts of the case, written complaint is filed by complainant Ravikant against Kamiya Sharma and others alleging that Ram Bachan Singh father of complainant was owner of plot No.79 measuring 200 sq. yards situated in village Kansapur, Geeta Colony Yamuna Nagar by virtue of sale deed dated 04.07.1972. Mutation no 2814 was sanctioned in favour of his father. His father expired on 11.11.2013. Present petitioner along with others are the legal heirs who have inherited the property left behind by his father. Land underneath Geeta Colony was earlier agricultural land and the owners of the land carved out plots and sold the same to different persons. Streets and parks are still in the name of original owners. Taking undue advantage thereof, accused No.1 and 2 in collusion with accused No.3 to 5 executed sale deed dated 14.06.2023 with an intention to grab the property and thereafter with the help of Abhishek Moudgil who is a Municipal Councilor got issued ID of said property in favour of purchaser i.e. accused No.1 and 2 who are wives of accused No.6 and 7. Ultimately, matter was reported to the police and present FIR was registered.

2. Learned counsel for the petitioner argued that allegations levelled against him are false. Kamni Sharma wife of petitioner and Neeru wife of his brother are bona fide purchasers of the plot vide sale deed dated 14.06.2023. Mutation is sanctioned in their favour and the ID of property is also issued. Kamni Sharma and Neeru had purchased this property from Bhupinder Singh who is having a judgment and decree dated 06.08.2011 in



his favour. His name is duly incorporated in the revenue record. Matter in controversy is civil in nature. Present petitioner is falsely involved. He is ready to join the investigation, therefore his anticipatory bail application may be allowed.

3. Bail application is opposed by learned counsel representing State. Detailed status report has been filed. Facts narrated in the FIR are confirmed. During investigation, the investigating officer has collected the record. One of the accused has been arrested whereas other accused are yet to be arrested. Considering the nature of allegations, anticipatory bail application deserves dismissal.

4. I have considered the arguments and have gone through the record along with the bail application. Learned counsel for the petitioner has placed on record copy of the jamabandi for the year 2021-2022 which shows that khasra No. 31//21/1, measuring 4 kanals 13 marlas *gair mumkin* plot is owned by several co-sharers including Ram Bachan Singh and Bhupinder Singh.

5. As per revenue record, property is joint. It is not disputed that several plots have been carved out and sold to different persons. The complainant as well as the accused are claiming sale deeds in their favour. During investigation, the investigating agency has collected various sale deeds, revenue record. Entire case is based on documents. Nothing is to be recovered from the present petitioner. He is ready to join the investigation.

6. Considering the matter in controversy, therefore, anticipatory bail petition filed by petitioner – Ahimanyu Shama is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of

Arresting/ Investigating Officer concerned, subject to condition that



petitioner will join the investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438(2) Cr.P.C.

- 7. Petition is accordingly disposed of.
- 8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)  
JUDGE

22.10.2024  
monika

- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No