

S. No.102

2024:PHHC:004606

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55362 of 2023

Date of Decision:15.01.2024

Virender Kumar

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Khatri, Advocate for Mr. Pradeep Chhoker,
Advocate for the petitioner.

Mr. Dhruv Kaushik, Advocate for Mr. Deepam Raghav,
Advocate for the complainant.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.306 dated 27.09.2023 registered at Police Station Sadar Gohana, District Sonipat under Sections 406 and 420 IPC.

Following order was passed by this Court on 28.11.2023:-

“By way of this petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.306 dated 27.09.2023, under Sections 406 and 420 IPC, registered at Police Station Sadar Gohana, District Sonipat.

Allegations are that petitioner agreed to sell his land to the complainant for an amount of ₹15 lacs and despite receiving the entire amount, he instead of selling the land to the complainant, sold it to one Sandeep on 24.08.2022.

Adjourned to 04.01.2024 as counsel for the petitioner wants to obtain instructions from his client as to whether he is ready to pay the money as taken by him from the complainant.”

Today report is received from Mediation & Conciliation Centre of this Court, as per which petitioner did not attend the mediation proceedings even once, due to which mediation could not even started.

Learned counsel for the petitioner has not been able to state regarding any instructions so as to make any payment to the complainant by the petitioner. Not only this, learned counsel for the petitioner submits that as per the instructions available with him, no agreement was ever executed.

The said statement is found to be quite contrary to para No.3 of the petition wherein petitioner himself has admitted the execution of the agreement.

Learned counsel for the complainant has also informed that as many as three agreements regarding the same land have been executed by the petitioner in favour of different persons.

Having regard to the all the afore-said facts and circumstances and also the observations made by this Court in its order dated 28.11.2023, this Court is not inclined to grant benefit of anticipatory bail to the petitioner.

Dismissed.

January 15, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No