

Mango Devi Vs. State of Haryana

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Court : Punjab and Haryana

Decided On : Jun-26-2011

Judge : Ajay Tewari, J.

Acts : Indian Penal Code (IPC) - Sections 420, 406, 467, 468, 471, 506; Code of Criminal Procedure (CrPC) (Cr.P.C) - Section 161

Appeal No. : Crl. Misc No. M 15484 OF 2011

Appellant : Mango Devi

Respondent : State of Haryana

Advocate for Def. : Ms. Shalini Attri, Adv.

Advocate for Pet/Ap. : Mr. Harinder Sharma, Adv.

Judgement :

1. The petitioner seeks grant of anticipatory bail in case FIR No.591, dated 30.10.2010, registered under Sections 420/406/467/468/471/506 of the IPC, at Police Station Ballabgarh, District Faridabad. On 19.5.2011, the following contentions were noticed :-

“ Learned counsel has argued that even if the case set out in the FIR is accepted, yet the complainant would have no locus standi because admittedly after a period of four years, the value of the land has

increased more than two times and neither the final purchaser nor the original purchaser (Bhagwan Singh) has made any complaint.”

2. Counsel for the respondent, on instructions from ASI Rajbir Singh, has accepted these factual assertions but has stated that Bhagwan Singh has suffered a statement under Section 161 of the Cr.P.C, wherein he has also corroborated these allegations.

3. However, it is not disputed that the final purchaser Laxman Singh has not made any complaint. In these circumstances, I deem it appropriate to grant the concession of anticipatory bail to the petitioner.

4. Consequently, in the event of his arrest, the petitioner shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the conditions laid down in Section 438(2) of the Cr.P.C. Petition stands disposed of.

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