HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11405-2015
Date of decision:09.04.2015

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.K.S.Dadwal, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.23 dated 27.2.2015 registered under Sections 406, 420 and 120-B of the Indian Penal Code at Police Station Kathgarh, District SBS Nagar.

Learned counsel for the petitioner submits that petitioner was not the beneficiary of the sale-deed. He only tried to help the owner-complainant namely Karan Singh. He further submits that it was the complainant Karan Singh, who himself suffered a power of attorney in the name of the petitioner. Thereafter petitioner suffered sale-deed in favour of his co-accused. He further submits that civil suits are pending between the owner and purchaser. He prays for allowing the present petition.

Having heard the learned counsel for the petitioner at considerable length and after careful perusal of the record of the case, this Court is of the considered opinion that keeping in view the fact situation of the present case, instant one has not been found to be a fit case for anticipatory bail. It is so said because complainant was a simpleton person. He was misled by the petitioner. Firstly, a power of attorney was got executed by the petitioner in his own name and thereafter on the basis of said power of attorney, he suffered the sale-deed in favour of his co-accused, thereby committing fraud with the complainant. Under these circumstances, custodial interrogation of the petitioner would be a compulsive necessity of the investigating agency, so as to conduct an effective investigation. No case for anticipatory bail is made out.

Dismissed.

09.04.2015 **(RAMESHWAR SINGH MALIK)**
mks **JUDGE**

MUKESH KUMAR SALUJA
2015.04.10 10:17
I attest to the accuracy and
authenticity of this document