

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Crl. Misc. No.M-14972 of 2015 (O&M)

Date of Decision: May 11, 2015.

Shiv Kumar

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.S. Bajaj, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

Heard.

As per the allegations in the FIR, the complainant in order to purchase the property contacted the petitioner, who is doing the business of property dealer. The petitioner introduced him to Narinder Kaur and her sons Sukhdev Singh and Parminder Singh and told him that their property situated at village Singhpur was on sale. The deal was finalized for ₹13 lacs and the payment was made to the aforesaid persons. A *fard* (mutation) allegedly issued by the *Illaq Patwari* on 21.02.2012 was given to the complainant to assure that vendors are owners of the property being sold. A power of attorney was executed, on the basis of said *fard* allegedly issued by *Illaq Patwari*, on which petitioner was

witness. When the complainant, in order to resell the property, contacted the revenue department, he came to know that the *fard* issued was fake one and it was prepared by the vendors with the help of petitioner, Kulwinder Singh and Laddi. The copy of ration card was also fake.

Learned counsel for the petitioner submits that petitioner is only a property dealer and his job was to arrange the meeting of buyer with seller. If any fake document was prepared by the vendor, the petitioner had nothing to do with the same.

The above contention of learned counsel for the petitioner has no merits at this stage as the allegations are that fake documents were prepared in connivance with the petitioner to prompt the complainant to pay an amount of ₹13 lacs under a conspiracy. The matter is under investigation. No ground is made out to exercise the discretionary power under Section 438 Code of Criminal Procedure to grant anticipatory bail at this stage.

This petition has no merits. Dismissed.

May 11, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE