

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

Crl.Misc.No.M-15051 of 2015(O&M)

Date of Decision : 20.05.2015

Malook Singh

....Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.S.S.Majithia, Advocate for the petitioner

Mr. K.S.Pannu,DAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of pre-arrest bail in terms of Section 438 Cr.P.C in case FIR no. 144 dated 29.10.2014 registered under Section 420 IPC at Police Station, Bassi Pathana, District Fatehgarh Sahib.

The facts indicate that there was a car belonging to one Malook Singh which was agreed to be sold to Jagtar Singh complainant for a sum of Rs. 4 lacs. Jagtar Singh further sold the car to Jagsir Singh and obtained Rs. 50,000/- in cash and remaining Rs. 3.5 lacs by way of a cheque. This transaction is said to have taken place on 8.10.2014. Strangely Malook Singh petitioner sells this very same vehicle on 10.10.2014, barely two days after and in this way duped the complainant of his money and also deprived him of the car.

Learned counsel for the petitioner proclaims innocence while learned counsel for the respondent has substantiated his argument of fraud by showing to the Court documents indicating sale of car by Malook Singh on 10.10.2014 i.e two days after the transaction in favour of Jagsir Singh.

The aforesaid facts would indicate a very clever ploy by the petitioner to dupe the intended purchaser of the stated amount of consideration as also to deprive him of the car altogether.

I am of the view that the petitioner's plea of innocence cannot be accepted in view of the aforesaid detailed facts which would require a deeper probe and recovery of money and car.

Hence, dismissed.

Nothing said herein shall be construed to be an expression on the merits of the case.

May 20, 2015
rekha

(Mahesh Grover)
Judge