

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15502-2015 (O & M)
Date of decision:25.05.2015

Amarjit Singh ...Petitioner(s)

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.P.S. Sidhu, Advocate,
for the petitioner.

Mr. Shilesh Gupta, Addl.A.G., Punjab.

Rajan Gupta, J. (oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 406/420/120-B/419/467/468/471 and 474 IPC at Police Station Tripuri Town Patiala, District Patiala, vide FIR No.520 dated 23.11.2013.

FIR, in this case, was registered on the complaint of Mohinder Singh. It was alleged that petitioner conspired with co-accused to dupe the complainant of ₹86,25,000/-. He agreed to sell the land in question to the complainant without disclosing that a part of the property was mortgaged with State Bank of Patiala and litigation was pending before the civil court in which there was an interim order. Copy of jamabandi shown to the complainant did not reflect the exact position. Complainant alleged that wrongful loss had been caused to him intentionally by the accused thus action be taken against them.

Learned counsel for petitioner has argued that dispute is

basically civil in nature. There is nothing on record to show that petitioner committed any offence of cheating/forgery.

Learned State counsel has, however, opposed the plea. According to him, custodial interrogation of the petitioner is necessary, he being the main beneficiary of the entire transaction.

After hearing learned counsel for the parties, I am of the considered view that petitioner is not entitled to concession of pre-arrest bail. The allegation against the petitioner is that he duped the complainant of ₹86,25,000/- in connivance with co-accused who impersonated himself as patwari. His custodial interrogation may be required for taking the investigation to its logical end.

Dismissed.

25.05.2015
sukhpreet

(RAJAN GUPTA)
JUDGE