

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

Crl. Misc. No.M-16426 of 2015 (O&M)

Date of Decision: May 26, 2015.

Kulwinder Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.S. Dhillon, Advocate
for the petitioner (s).

Mr. Amritpal Singh Gill, Asstt.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Heard.

FIR No.31 dated 17.02.2015 was registered at Police Station Navi Baradari, District Jalandhar for the offence punishable under Sections 420, 465, 467, 468, 471, 120-B of Indian Penal Code and 82 of Registration Act, on the complaint of Pawan Kumar son of Madan Lal, resident of Jalandhar. As per the complainant, he had entered into a transaction to purchase 22 kanals of land with Narinder Kaur, Sukhdev Singh and Parminder Singh at the instance of petitioner and Shiv Kumar, who had initiated the deal telling him that the above property was on sale and payment of ₹3.5 lacs by cheque and ₹9.5 lacs in cash was made to

Narinder Kaur, Sukhdev Singh and Parminder Singh, who executed a general power of attorney in favour of complainant, on which Shiv Kumar was a signatory. Later on, khasra girdawaries, ration card of vendors were found fake.

Learned counsel for the petitioner submits that the complainant is a property dealer and petitioner is also a property dealer. The deal was with Narinder Kaur, Sukhdev Singh and Parminder Singh. He has no role in fabricating any document. He is also not a beneficiary in the transaction.

Learned State counsel submits that as per the allegations in the FIR, the deal was prompted at the instance of petitioner, who presented before the complainant that Narinder Kaur, Sukhdev Singh and Parminder Singh were the owners of land measuring 22 kanals and it was at the time when the complainant wanted to resell the land, the fact that documents i.e. revenue record and ration card of vendors were fake, came into his notice.

Keeping in view the above facts and that the petitioner is not a direct beneficiary of the transaction, this petition is allowed. The petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on bail, till the filing of challan, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

May 26, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE