

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

(207)

CRM-M-16819-2015

Decided on: September 14, 2015.

Sukhwinder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Kushagra Mahajan, Advocate, for the petitioner.

Mr. Jashan Preet Singh, AAG, Punjab.

Mr. Vineet Sharma, Advocate, for the complainant.

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Gurjeet Singh alleging that petitioner Sukhwinder Singh along with his co-accused Baljinder Singh had induced the complainant to purchase a plot at reasonable rate. The sale deed was executed by one Mahinder Pal Singh in favour of wife of the complainant. The petitioner had witnessed the said sale deed as attesting witness.

It has transpired later on that a fictitious sale deed in favour of Mahinder Pal Singh had been shown along with fake revenue record in his name whereas the original ownership of the property vested in Sukhjit Kaur.

Learned counsel for the petitioner submits that it is a civil dispute and that the petitioner is merely a property dealer and on the basis of

genuine documents, the property has been sold to complainant's wife by a registered document.

On the instructions of ASI Mohinder Singh, learned State counsel informs that the seller of the property Mahinder Pal Singh has not been arrested as he is a fictitious person and that the property as per revenue record belongs to Sukhjit Kaur.

During course of investigation, the revenue record and sale deed in favour of Mahinder Pal Singh have been found to be fake documents.

After considering the facts and circumstances of the case, I am of the considered opinion that the petitioner has been instrumental in transferring the property of one Sukhjit Kaur by persuading the complainant and his wife to purchase the property by producing some impersonator who was not even owner of the property. The complainant and his wife have not been able to get possession of the property as the seller was a fictitious person.

In view of serious allegations for having served the property of a third person, the petitioner is not entitled to be granted the concession of pre-arrest bail.

No ground is made out to grant the bail to the petitioner.

Dismissed.

(M.M.S. BEDI)
JUDGE

September 14, 2015
harsha