

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Date of decision:18.09.2015

(i) CRM-M-18025-2015 (O & M)

Rashpal Singh ...Petitioner(s)

Versus

State of Punjab ...Respondent

(ii) CRM-M-18259-2015 (O & M)

Harjit Singh @ Tony ...Petitioner(s)

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. J.S. Sandhu, Advocate,
for the petitioner(s).

Ms. Rajni Gupta, Addl.A.G., Punjab.

Rajan Gupta, J. (oral)

This order shall dispose of two connected petitions bearing CRM-M-18025-2015 and CRM-M-18259-2015 under Sections 438 seeking pre-arrest bail to the petitioners in a case registered against them vide a similar FIR No.54 dated 21.03.2015 under Sections 406, 420 and 120-B IPC, at Police Station Division No.8, Jalandhar, arising out of a similar incident.

Learned counsel for the petitioners submits that name of the petitioner-Rashpal Singh does not figure in the FIR. Petitioners have been implicated on the basis of disclosure statement of co-accused.

Learned State counsel has opposed the prayer for bail.

According to her, petitioners appeared before the

investigating officer but did not co-operate. Besides, a report has been received from the transport department. According to which, vehicles still stand in the name of Gurmeet Singh while Harjeet Singh is son of Gurmeet Singh and Rashpal Singh is the brother.

I have heard learned counsel for the parties. It appears that a joint business was started by the petitioners in partnership with the husband of the complainant. It was decided that some vehicles would be purchased and would be attached with Verka Plant at Jalandhar, for running the business. Husband of the complainant paid ₹11 lacs 30 thousand to the accused for running the business. Out of this, amount of ₹ 5 lacs 15 thousands was given to accused- Rashpal Singh and ₹ 3 lacs to Harjeet Singh. These vehicles were, however, got registered by Gurmeet Singh in his own name and tender was allotted to him. When complainant demanded the money, a panchayat was convened. Initially, some amount was paid by the accused and they were ready to pay the balance amount. However, later, they backed out. Due to this shock, husband of complainant died on June 28, 2014.

Stand of the investigating agency is that petitioners are not co-operating. They have not disclosed anything about the documents of the vehicles nor any recovery has been effected.

In view of the above, petitioners are not entitled to relief of pre-arrest bail.

Dismissed.

(RAJAN GUPTA)
JUDGE

18.09.2015

sukhpreet