

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

CRM-M-19603 of 2015

Date of decision: December 02, 2015

Gunan Puri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Mansi Bansal, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Mr. Mandeep S. Sachdeva, Advocate for the complainant.

Rajan Gupta, J.

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 IPC at Police Station Navi Baradari, District Jalandhar, vide FIR No.69 dated 27.4.2015.

Learned counsel for the petitioner contends that petitioner has joined investigation. He is, thus, entitled to concession of pre-arrest bail.

Prayer has been opposed by State counsel. According to him, similar petition on behalf of co-accused has been dismissed by a coordinate bench. Custodial interrogation of the petitioner is required for the purposes of investigation.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

Allegation against the petitioner is that they entered into an agreement to sell their house for a sum of Rs.1,10,00,000/- and received Rs.60.00 lacs as earnest money. They refused to execute the sale-deed, resulting in instant FIR. It is also transpired that petitioner had already sold the property to co-accused Parminder Singh. They were, thus, guilty of fraud with the complainant depriving him of his hard earned money.

In view of the nature of allegations and huge amount of which the complainant has been allegedly duped, I am of the considered view that petitioner is not entitled to concession of pre-arrest bail. His custodial interrogation may be necessary to take the investigation to its logical end.

No merits. Dismissed.

(RAJAN GUPTA)
JUDGE

December 02, 2015
'Rajpal'