

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

(209)

CRM-M-29930-2015

Decided on: October 29, 2015.

Manjit Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Kanwaljyot Singh, Advocate, for the petitioner.

Mr. Gazi Mohammad, DAG, Punjab.

Mr. Rinnypal Singh Cheema, 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 complainant Paramjeet Singh alleging that the petitioner in connivance with other co-accused committed fraud with the complainant. As per the allegations of the prosecution, the petitioner had entered into an agreement of sale with original owner Rashpal Singh. On the basis of said agreement of sale, he had further agreed to sell the same property to complainant Paramjeet Singh without disclosing that the agreement of sale between Rashpal Singh (original owner) and the petitioner stood cancelled.

Learned counsel for the petitioner has vehemently contended that the petitioner had received only a sum of Rs.50 lacs and that there had not been any cancellation of the agreement of sale on the basis of which he had acquired right to sell property to the complainant.

With the assistance of learned counsel for the complainant and learned State counsel, I have gone through the police file and seen the endorsement regarding cancellation of agreement of sale in favour of the petitioner. Prima facie, endorsement dated 14.02.2014 is thumb marked and signed by the petitioner and Rashpal Singh in the presence of two witnesses. It will be pre-mature to consider the claim of the petitioner at this stage, that the endorsement of cancellation is false. The petitioner has allegedly received a total sum of Rs.80 lacs on three different occasions i.e. having received Rs.15 lacs, Rs.35 lacs and Rs.30 lacs as mentioned in the FIR, despite the fact that he did not have any right, title or interest in the property of original owner Rashpal Singh. The complainant is an NRI and has been duped by the petitioner.

No ground is made out to grant concession of pre-arrest bail to the petitioner.

Dismissed.

(M.M.S. BEDI)
JUDGE

October 29, 2015
harsha