

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

CRM M-31783 of 2015

Date of decision :23.12.2015

Iqbal Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gurcharan Dass, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

Mr. Pardeep Bajaj, Advocate for the complainant.

RAJAN GUPTA J.

This is a petition filed under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner vide FIR No. 212 dated 03.07.2015 under sections 419, 420, 465, 467, 468, 471 & 120-B IPC at Police Station Dakha, district Ludhiana.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. According to him, petitioner is only a witness to the agreement to sell and has no role to play regarding sale/purchase of land in question.

Learned State counsel has opposed the prayer for bail. He submits that petitioner played a vital role in the commission of crime. According to him, he is the main accused and recovery is yet to be effected from the petitioner. Thus, his plea for pre-arrest bail is without any merit and deserves to be dismissed.

I have heard learned counsel for the parties.

FIR was registered on the complaint of Karandeep Singh. He stated that petitioner had shown him 40 kanals 2 marlas of agricultural land and introduced him to a person who impersonated as Baljeet Singh, stated to be the owner of the aforesaid land. A deal was struck with him. Later on complainant came to know that he had been duped by the accused including petitioner. Due to fraud played, complainant parted with ₹25.00 lacs. He was allured to enter into an agreement to purchase the land. However, person who claimed to be Baljeet Singh, with whom deal was struck, turned out to be an imposter. Stand of the petitioner is that FIR in question was a counter-blast to the FIR, Annexure P-5 registered at the instance of Daljit Kaur wife of vendor Amrinder Singh Gill. Regarding this, an inquiry was conducted by DSP Dakha who found that petitioner hatched the entire conspiracy as he was having the knowledge that the complainant wanted to buy some agricultural land. He motivated accused Amrinder Singh @ Baljeet Singh to enter into an agreement to sell with complainant and created forged documents and ID proofs. Petitioner is stated to have signed as a witness on the forged agreement to sell. Stand of the investigating agency is that it is the petitioner who knows about the whereabouts of accused Amarinder Singh who duped the complainant of ₹25.00 lacs. Thus, his custodial interrogation is necessary to know the whereabouts of accused Amarinder Singh and for recovery of the amount.

Considering the nature of allegations and the fact that petitioner had duped the complainant of a huge amount, petitioner is not entitled to concession of pre-arrest bail. His custodial

interrogation may be necessary to take the investigation to its logical end. Petition is, thus, without any merit and is hereby dismissed.

December 23, 2015

Ajay

(RAJAN GUPTA)
JUDGE