

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-32436 of 2015
Date of Decision: 22.9.2015.**

Om Parkash Madan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. U.K.Agnihotri, Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No. 99 dated 8.6.2015 under Section 420, 406, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Lalru, District Sahibzada Ajit Singh Nagar (Mohali).

Prosecution story, in brief, is that petitioner and his co-accused had defrauded the complainant of his hard earned money to the tune of ₹ 65,51,000/-. The case of the complainant was that Parkash Chand had approached him with a proposal qua sale of 7½ acres land. Complainant prepared a demand draft in the sum of ₹ 65,00,000/- in favour of the owners i.e. Balwinder Singh and Harmeet Singh on 29.6.2013. Prior to that complainant had given ₹ 51,000/- to Parkash Chand and Gurpreet Singh. However, the sale deed had not been executed in favour of the complainant.

Complainant tried to contact Parkash Chand and also went to his house and he was told by the wife of Parkash Chand that he had gone to Delhi with the petitioner, another property dealer from Lalru. Thereafter, Parkash Chand and the petitioner threatened the complainant with dire consequences. When the complainant visited the spot with his friends, he came to know that the land shown to him by Parkash Chand, was different from the land disclosed to him by the co-villagers of the sellers. It is further the case of the complainant that Balwinder Singh, Harmeet Singh, Parkash Chand and the petitioner were involved in number of criminal cases. Petitioner had demanded ₹ 15,00,000/- to complete the deal. The sellers gave two cheques to the complainant in the sum of ₹ 32,75,550/- each but when they were presented for encashment, they were dishonoured by the bank.

Learned counsel for the petitioner has submitted that the petitioner has been falsely involved in this case. Petitioner had no concern with the deal in question. In support of his arguments, learned counsel for the petitioner has placed reliance on '**Ravindra Saxena versus State of Rajasthan 2010(1) R.C.R. (Criminal) 540**' and '**Manisha Goyal versus State of Punjab 2006 (9) R.C.R. (Criminal) 162**'.

In the present case, the allegations levelled against the petitioner are serious in nature. Petitioner and his co-accused had defrauded the complainant. Petitioner is also involved in other criminal cases. Petitioner might be required for custodial interrogation.

I have gone through the judgments relied upon by the learned counsel for the petitioner but the same fail to advance the

case of the petitioner as they are based on different facts.

No ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

**(SABINA)
JUDGE**

September 22, 2015
Gurpreet