

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

CRM No.M-32752 of 2015

Date of decision: 05.10.2015

Surender Pal Panghal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Jitender Dhanda, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

Mr. Rajneesh Gupta, Advocate
for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought pre-arrest bail in case FIR No.507, dated 14.05.2015, registered under Section 420 IPC, at Police Station City, Hisar.

It is contended that the petitioner has been falsely implicated in the present case. No cheating or fraud has been committed by the petitioner with the complainant. The petitioner is the president of a registered society and has carved out plots in the area owned by the society. The present FIR has been registered just to humiliate and defame the petitioner. Nothing is to recovered from

the petitioner.

On the other hand, the learned State counsel opposes the prayer of bail and states that petitioner along with other members of the society had sold out the plot beyond the area owned by them and thus, committed fraud with the innocent people. The investigation is in progress, therefore, the custodial interrogation of the petitioner is very much necessary in the instant case.

I have heard learned counsel for the parties and perused the record.

Perusal of the record would reveal that the petitioner being the president of the Leading Welfare Society Ltd., Hisar, which is not registered with the Registrar of the Societies, has carved out the plot and sold to the customers beyond the area owned by the society and thus, committed fraud with the customers. Keeping in view the role of the petitioner and the offence committed, no ground for pre-arrest bail is made out at this stage.

However, anything said herein is for the purpose of disposal of the bail petition and shall not be construed as an expression of opinion on the merits of the case.

05.10.2015

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(JITENDRA CHAUHAN)
JUDGE