

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

CRM-M-33982-2015

Date of decision: October 13, 2015

Bhupinder Kumar @ Dara

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Kler, Advocate for the petitioner.

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 420, 467, 468, 471, 120-B IPC and 13-A of Punjab Village Common Land (Regulation) Act, 1961 and Section 13 (1) (D) read with Section 13(2) 88 of Prevention of Corruption Act at Police Station Vigilance Bureau, Punjab Phase-I, Mohali, vide FIR No.4 dated 29.04.2015.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. The petitioner sold his own property and not that of the Panchayat.

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

The allegations against the petitioner in the FIR are that he despite having knowledge regarding ownership of the Gram Panchayat over the disputed land, sold the same by showing it to be owned by

Seema Garg, situated within *Red Line* of village Mullanpur Garibdass. The petitioner represented the vendee Hem Raj and got himself photographed on his behalf and also signed the sale deed dated 2.4.2008, despite having knowledge that his claim of ownership over the said land had already been rejected. Further he in connivance with co-accused got prepared a false certificate of the land being situated within *Red Line* of the village.

Keeping in view the allegations of fraud and forgery against the petitioner, I am of the considered view that he is not entitled to concession of pre-arrest bail. The petitioner has active role in the commission of crime. His custodial interrogation may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

October 13, 2015
'Rajpal'