

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

CRM-M-38933-2015 (O&M)
Date of decision: December 08, 2015

Ramanjit Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. P.S. Hundal, Senior Advocate with
Mr. Dinesh Trehan, Advocate for the petitioner.
Mr. Arun Luthra, AAG, Haryana.
Mr. Namit Khurana, Advocate for the complainant.

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 406, 420, 506, 120-B IPC and 25/54/59 Arms Act at Police Station City Yamuna Nagar, vide FIR No.344 dated 29.04.2015.

Learned senior 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. He submits that since the date of agreement i.e. 10.12.2010 till 08.01.2014 when complaint was filed, neither any notice was received by the petitioner nor any civil suit for specific performance was filed against him. The allegations are civil in nature. Thus, petitioner deserves concession of anticipatory bail.

Prayer has been opposed by learned State counsel on the

ground that allegations against the petitioner are serious and thus, he does not deserve the concession of pre-arrest bail. He submits that complainant was cheated of a huge amount of Rs.40.00 lacs. Original documents are in possession of the petitioner and same are to be recovered from him. Thus, custodial interrogation of the petitioner is required.

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

FIR was lodged on the complaint made by Netar Parkash alleging that accused Ramanjit Singh @ Romi (petitioner herein) had agreed to sell 12 acres of land to him owned by him and his mother alongwith trees thereon. He received Rs.40.00 lacs as earnest money and sale deed was to be executed on or before 30.4.2011. However, petitioner did not come forward to execute the sale deed. Thereafter, petitioner promised to return the amount of Rs.40.00 lacs, but avoided on one pretext or the other. On 29.12.2013, petitioner met complainant and requested him to return the amount. On this, petitioner called him in his office at Yamuna Nagar with original documents of the agreement and assured him to return the amount of Rs.40.00 lacs. Complainant reached to the office of the petitioner on 31.12.2013. Petitioner and his son namely, Parveen were present there. Petitioner demanded his documents, which were returned by the complainant alongwith receipt of the amount. Complainant thereafter asked the accused to return the amount. However, petitioner put revolver on his head and threatened to kill him. The accused then thrown him out of the office. On these allegations FIR was registered against the accused. Pursuant to FIR, investigation

ensued. Investigating agency found substance in the allegations. It tried to locate the petitioner but failed. His warrants of arrest were issued. Now proceedings under sections 82 and 83 Cr.P.C. are pending against him.

In view of the huge amount involved and nature of allegations against the petitioner, I am of the considered view that he is not entitled to discretionary relief of pre-arrest bail. He and his son are alleged to have snatched original documents from the complainant at gun point. Stand of the investigating agency before this court is that custodial interrogation of the petitioner is required to recover the amount, weapon and documents. Under the circumstances, no case for anticipatory bail is made out.

Dismissed.

(RAJAN GUPTA)
JUDGE

December 08, 2015
'Rajpal'