

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

Crl.Misc.No.M-7060 of 2014

Date of Decision : 10.3.2015

Iqbal Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.SPS Sidhu, Advocate
for the petitioner.

Mr.PJS Hundal, AAG, Punjab.

.....

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C. praying for release of the petitioner on bail in terms thereof in a case registered vide FIR No.4 dated 8.1.2014 under Sections 420, 406, 120B IPC, at Police Station City Malout, District Sri Muktsar Sahib.

The allegations against the petitioner are that he while acting as General Power of Attorney of the original owner of the shops alienated the same by virtue of sale deed knowing fully well that all the shops were having a charge on them by a financial institution. This fact is clearly not denied but persuaded by the plea of the petitioner that he is willing to settle the matter with the complainant, the court granted indulgence in favour of the petitioner by staying his arrest subject to his complying with the provisions of Section 438(2) Cr.P.C.

Despite efforts purportedly made by the parties the issue had

not been resolved leaving the court to evaluate the allegations and the plea of bail on merits. Undeniably, the petitioner had alienated the shops in question knowing fully well that they had a charge on them by a financial institution. If that is so then the petitioner had clearly played a fraud to rightfully invite the allegations. Offences such as these pertaining to siphoning of the property have serious repercussions for the society at large and finding them to be on the upswing and noticing the fact that the petitioner does not deny the allegations against him, I do not find it to be a fit case where further indulgence should be shown by the court.

Petition dismissed.

10.3.2015

(MAHESH GROVER)
JUDGE

dss