

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

**Crl. Misc. No.M-7735 of 2015
Date of decision : 07.07.2015**

Ravi Nandan Puri

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Balkaran Singh Aulakh, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG, Punjab.

Mr. Ajay Pal Singh, Advocate for
Mr. R.S. Sidhu, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking anticipatory bail in FIR No.4 dated 03.02.2015, registered under Section 420 IPC, Police Station City Malout, District Sri Muktsar Sahib.

The allegations against the petitioner are that the petitioner being the power of attorney had executed an agreement to sell and had received the entire amount and thereafter, a sale deed was executed but when they asked the petitioner to handover possession, they were taken to another property. The complainant came to know from the neighbours that the land which was shown to

them was already sold and was owned by Kulbir Singh and the sale deed in their name was of another land.

The case had been adjourned to enable the petitioner to place on record the registries of plots which have been mentioned in the sale deed under dispute. The case had been adjourned a number of times but they have failed to do so.

On 24.04.2015 the counsel for the petitioner had expressed his inability to place the sale deeds of the adjoining plots and had stated that they would argue the matter.

Heard.

The petitioner had approached the 1st Court for anticipatory bail. He was asked to join the investigation but failed to do so, therefore, his application was dismissed. Here, he was asked to give the sale deeds of the plots concerning the property reflected in the agreement-sale deed in favour of the petitioner so that boundaries could be matched, he has failed to do so.

It has been urged on behalf of the complainant that he had been cheated of his hard earned money and petitioner is not ready to return the money. The plot with these boundaries does not exist. Custodial interrogation is necessary to unearth the fraud. Considering the nature and gravity of the accusation, the protective cover of anticipatory bail can not be allowed.

Section 438 Cr.P.C. is an extra ordinary remedy and protection can be granted only considering the material and the facts of a given case. The allegations against the petitioner are grave. Custodial interrogation is necessary. Recovery of the sale deeds is to

be effected. It would be difficult to carry out the investigation and it is necessary to curtail his freedom to enable the Investigators to proceed. No fetters can be placed upon the Investigators.

The petition is dismissed.

07.07.2015

sunil

(ANITA CHAUDHRY)
JUDGE