

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

CRM-M-913-2015 (O&M)

Date of decision : 29.01.2015

Surjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. A.K. Sama, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Bhajan Singh.

Mr. Parvesh Sachdeva, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in case FIR No.202 dated 21.08.2014, registered under Sections 465, 467, 468, 471, 120-B of the Indian Penal Code, (for short, 'the IPC') at Police Station Sadar Jalalabad, Distt. Fazilka.

It is contended that the land in question was allotted to the petitioner's father vide sale/conveyance deed, Annexure P-4, in the year 1996 by the Central Government. After his father's death, he inherited

the property in question. The condition that the land could not be further sold for the next twenty years is not applicable to the petitioner as the conveyance deed dated 19.09.1996, was executed only in favour of Fauja Singh, the father of the petitioner.

The learned State counsel, on instructions, submits that the petitioner sold 5 kanals out of his share of 5 kanals 8 marlas in the year 2010, which is in clear violation of the terms of the allotment.

Heard.

The land in question was allotted to the father of the petitioner vide Annexure P-4, in the year 1996, with a condition that he shall not sell it further for the next twenty years. In utter disregard to the condition of allotment, the petitioner sold the land in the year 2010. The petitioner stepped into the shoes of his deceased father and the terms and conditions of the allotment letter are binding on the legal heirs including the petitioner, of the original allottees. It is alleged that the petitioner has got forged the revenue record by entering his own name in the column of ownership and thereafter the petitioner sold the land illegally. Allegations are serious in nature. Thus, no case for grant of pre-arrest bail is made out at this stage.

Dismissed.

29.01.2015
atulsehi

(JITENDRA CHAUHAN)
JUDGE