

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

CRM-M No.19122 of 2016

Date of decision: 26th August, 2016

Jaswinder Singh @ Jassa @ Bakhshish Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vivek Goel, Advocate for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J.

Allegations against the petitioner Jaswinder Singh @ Jassa @ Bakhshish Singh in this anticipatory bail application under Section 438 Cr.P.C. are that the complainant Jaswant Singh had shown his inclination to purchase 12 acres of land after selling off his valuable land to increase his land acreage and as a consequence of a conspiracy hatched between Baljit Singh, present petitioner Jaswinder Singh @ Jassa @ Bakhshish Singh and Sukhjit Singh an agreement to sell 1 acre of land for an amount of Rs.18.00 lacs was entered into on 05.08.2015. Accused Tejinder Singh called the complainant to the office of the petitioner at Jaito and in the presence of others after showing certain documents and stamp papers bearing signatures assured that Baljit Singh the real owner would execute the same and as a consequence of which petitioner took Rs.5.00 lacs from the complainant and assured that the sale deed would be certainly undertaken and thereafter on some

misrepresentation again took Rs.7.50 lacs from the complainant in the office of the petitioner and thereafter when failed to execute the sale deed it transpired that in fact they have knowingly to cheat conspired and misrepresented the complainant and Baljit Singh was never the owner of the land.

Contentions of learned counsel for the petitioner that the petitioner is already on interim bail and sending him to custody would not be in the interest of justice and that he is not the beneficiary nor has any role to play, have been well refuted by the learned State counsel on the grounds that specific role has been attributed to him.

Going through the submissions and the allegation that the petitioner was the principal accused who was instrumental in perpetuating fraud and with the help of his co-accused duped the complainant of his valuable money. In view of the seriousness of allegations and the fact that the custodial interrogation of the petitioner is very much essential to unearth the nexus and for the recovery of alleged forged documents and cash, impels this Court to decline the prayer.

The petition stands dismissed accordingly.

(FATEH DEEP SINGH)
JUDGE

August 26, 2016
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No