

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

CRM-M No.18498 of 2015 (O&M)

Date of Decision: 31.03.2016

Samarjeet Singh

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Neeraj Gaur, Advocate for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by A.S.I. Pawan Kumar.

JASWANT SINGH, J. (Oral)

The prayer is for grant of anticipatory bail under Section 438 Cr.P.C. to the petitioner/accused-Samarjeet Singh in case FIR No.307 dated 10.09.2011, under Sections 419, 420, 467, 468, 471, 120-B of the Indian Penal Code, registered with Police Station Sohna, District Gurgaon (**Annexure P-1**).

Upon investigation by the Economic Offence Wing, it has been found that the present petitioner along with other co-accused has fraudulently sold of the agricultural land measuring 19 Kanals and 16 Marlas, owned by Harbans Mahajan (since deceased) i.e. the father of the complainant-Jitender Mahajan by producing some impersonator as Harbans Mahajan and pocketed huge amounts of money.

It is contended that the name of the petitioner has been nominated as an accused on the basis of the disclosure statement of the co-accused/non-applicant-D.P.Singh whereas he has filed an affidavit saying that he was taken the name under the police pressure.

Learned State Counsel, assisted by ASI Pawan Kumar, submits that the allegations of the complainant were thoroughly investigated by the Economic Wing before recording of the FIR. From the reading of the FIR reproduced at **Annexure P-1** itself, the active involvement of the petitioner is evident. He further states that the petitioner is evading arrest for the last more than 4 ½ years and has been declared proclaimed offender.

After hearing learned Counsel for the parties and perusing the proceedings (**P-1**), it is apparent that the petitioner has played an active role in the alleged crime, therefore, his custodial interrogation is required for fair and proper investigation.

Accordingly, the present petition stands dismissed.

March 31, 2016

Gagan

(JASWANT SINGH)
JUDGE