

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

CRM-M-20769 of 2016

Date of Decision: July 26, 2016

Resham Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sham Lal Bhalla, Advocate
for the petitioners.

Mr. Jasjeet Dhaliwal, DAG, Punjab.

Mr. Sanjay Gupta, Advocate
for the complainant.

FATEH DEEP SINGH, J.

The petitioner-Resham Singh has sought anticipatory bail in the case got registered by one Shivdev Singh. The brief allegations are that the petitioner was known to the complainant and the latter being desirous of buying some agricultural land the petitioner introduced him to one Joginder Singh son of Bhag Singh and subsequently an agreement to sell was made between the two in which the petitioner has signed as attesting witness and, thus, the complainant gave ₹14,00,000/- in total in two installments and, subsequently, it has transpired that in fact the person who posed as Joginder Singh was Mewa Singh and actual owner Joginder Singh had died long time back and, thus, Mewa Singh who earlier had

duped the bank and secured loan against this property and also duped the complainant in league with the petitioner.

Learned counsel for the petitioner contended that the petitioner is only attesting witness and has no role to play and has sought to advert on to the maxim “buyer beware”.

The bail is opposed by the learned counsel for the respondents on the ground that the petitioner had at the time of attestation intentionally given his wrong address to hoodwink and was in fact hand in glove with the principal accused and his custodial interrogation is essential.

The prima facie allegations that it was at the behest of the petitioner impersonation has taken place and the fact that the principal accused Mewa Singh has also been habitual in duping others and that the custodial interrogation of the petitioner is essential to unravel the truth and his conduct of intentionally giving wrong address even to his acquaintance shows what was at the back of his mind.

In view thereof, no ground to grant the concession of bail to the petitioner is made out.

Dismissed.

(FATEH DEEP SINGH)
JUDGE

July 26, 2016
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