

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

CRM-M No. 21143 of 2016 (O&M)

Date of decision: 17.08.2016

Harnek Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Gaurav Chopra, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Joginder Singh.

Complainant in person with
Mr. K.K. Goel, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.09 dated 16.05.2015, registered under Sections 420, 465, 467, 468 and 120-B IPC, at Police Station NRI, Ludhiana City.

It is contended that the petitioner is only an attesting witness to the agreement to sell and he is not beneficiary in any manner. In pursuance of order dated 16.06.2016, the petitioner has joined the investigation.

On the other hand, the learned State counsel, on

instructions submits that though the petitioner has joined the investigation, however, he is not cooperating.

Heard.

As per the case of the prosecution, the petitioner in connivance with his co-accused, Paramjit Singh and Baldev Singh has prepared agreement to sell on the basis of forged and fabricated documents. The agreement to sell does not bear the signature of either of the purchaser, Charanjit or his attorney on his behalf. The payment of amount of Rs.20 lacs to the father in-law of the complainant is also doubtful. The register of the stamp vendor reflecting the purchase of the stamp paper has also not come on record. Keeping in view the allegations and role of the petitioner, no case for bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

17.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No