

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

Date of decision:06.05.2016

Randhir Singh

.....Accused Petitioner

v.

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Gaurav Mohunta,Advocate for the accused petitioner.

Mr.Kuldip Tiwari, Addl.AG Haryana assisted by ASI Prem
Parkash

Jaswant Singh,J(Oral).

The prayer is for grant of anticipatory bail in case FIR No.615 dated 2.12.2015 under Sections 420, 467,468,471,120-B IPC read with Section 13(1)(d) of the Prevention of Corruption Act, registered at PS Ganaur, District Sonapat.

In brief the facts are that agriculture land measuring 47K9M in Village Barhi(also written as Baddi), Ganaur, District Sonipat under the ownership of Okara Group of Companies was attached vide order dated 22.11.2002 passed by Hon'ble Delhi High Court in a CA(M) 115 of 2002 and 63 of 2002 filed by the creditors,including Kawaljit Singh Kher. Subsequently vide order dated 25.9.2008 the learned Company Judge, in the aforesaid Company

Petition, issued specific direction to the District Collector, Sonipat

Haryana not to proceed with the sale/auction proceedings in respect of the aforesaid land in question. Thus, accordingly entries in the revenue record were made. It is also a matter of record that the Official Liquidator of Delhi High Court informed the Deputy Commissioner, Sonapat vide his letter dated 23.6.2015 about the pendency of liquidation proceedings regarding Okara Group of Companies and their being a stay with regard to any kind of alienation of the property in question. The Deputy Commissioner further forwarded the letter on 8.7.2015 to Tehsildar, Ganaur for appropriate action and entry in the *roznamcha*.

The allegations against the petitioner-accused are that on the basis of a fake/forged Delhi High Court order dated 27.7.2015 and fake revenue entry, an agreement to sell dated 7.2.2014 was executed by Baldev Singh (impersonating as Narinderjit Singh fake Director of M/s Okara Agro Industries) in favour of accused-petitioner Randhir Singh and on the basis of said agreement to sell, petitioner-Randhir Singh further got executed the sale deed in favour of co-accused Sunil Kumar, Sultan Singh and Narain Singh etc.

Learned counsel for the petitioner has argued that petitioner-Randhir Singh is neither the seller nor the purchaser nor executor of the sale deed and therefore, his custodial interrogation would not be required.

Learned State counsel on instructions from ASI Prem

Parkash submits that in the investigation it has surfaced that the

petitioner-accused Randhir Singh is the kingpin of the entire conspiracy as he financed the entire conspiracy like payment to co-accused Hari Sharan Bhatia, who arranged the fake/forged order dated 27.7.2015 of the Delhi High Court regarding vacation of stay orders previously passed qua alienation of land of Okara Agro Industries, situated in Village Barhi, upon which fake entries in the copy of the *jamabandis* were made and also greased the palms of co-accused Jaibir Malik, Naib Tehsildar by paying him a sum of Rs.4 lacs as bribe money, who in furtherance of the said conspiracy executed sale deed no.2956 dated 26.10.2015 (scribed on 21.7.2015) pertaining to the land in question on the basis of the fake/forged order dated 27.7.2015 of the Hon'ble Delhi High Court and fake entry in the copy of the *jamabandis* in great haste in spite of knowledge of stay of such alienation. It is further submitted that call details of the petitioner show that he was in constant touch with all the co-accused at the relevant time and therefore, his custodial interrogation would be required.

After hearing the learned counsel for the parties and keeping in view the nature and gravity of the offence and role attributed, it is clear that a deeper probe would be required, therefore, custodial interrogation of the petitioner would be necessary to have a fair and proper inquiry.

Dismissed.

6.5.2016
joshi

(Jaswant Singh)
Judge