

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

210

CRM-M-29969-2016 (O&M).
Decided on: September 9, 2016.

Kirpal Singh

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

* * *

CORAM:

HON'BLE MR.JUSTICE M.M.S.BEDI

* * *

PRESENT

Ms.Sushma Varma, Advocate, for the petitioner.
Mr.Jashanpreet Singh, DAG., Punjab.

M.M.S. BEDI, J. (ORAL)

Petitioner seeks concession of regular bail in a case bearing FIR No.153 dated 24.8.2013, under Sections 419, 420, 467, 471, 474 and 120-B IPC, registered at Police Station, Lalru. The FIR was registered at the instance of Sandeep Bansal alleging that the petitioner connived with other co-accused and committed fraud of Rs.25 lacs with the complainant by impersonating as Avtar Singh who is the original owner of the property and having entered into an agreement of sale dated 20.7.2012 with the complainant.

As per the case of the prosecution after having paid a sum of Rs.25 lacs as earnest money, the complainant later on found that the original owner was Avtar Singh but he has never executed any agreement in favour of the complainant. The challan in this case has been presented. The petitioner was declared a proclaimed offender in this case on 20.9.2014 and was arrested on 5.11.2015. His all the co-accused have been granted the concession of bail. It will certainly be a debatable issue during the course of trial that without determining the identity of the original owner Avtar Singh, complainant parted with a huge sum of Rs.25 lacs on the basis of an agreement to sell which is purported to have been signed by the petitioner as Avtar Singh. Adopting the principle of parity, the petitioner can be granted the concession of regular bail.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

September 9, 2016.

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Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No