

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

**CRM-M No.3115 of 2016 (O&M)
Date of Decision: 29.01.2016**

Pardeep Pasricha

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashok Giri, Advocate for the petitioner.

JASWANT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail under Section 438 Cr.P.C. to the petitioner in case FIR No.29 dated 10.02.2015 for the offences punishable under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, registered with Police Station City Rupnagar, District Rupnagar.

The aforementioned FIR was lodged at the instance of Sh. Harsimranjit Singh, Addl. Civil Judge (Sr. Divn.), Rupnagar in the light of his findings in a judgment dated 31.01.2015, whereby the suit of the plaintiff-Bhupinder Singh for specific performance of the agreement to sell dated 11.05.2010 regarding purchase of land from Raghvir Singh/defendant No.1 was dismissed. It was found that the alleged agreement to sell dated 11.05.2010 with the recital of receipt of Rs.10 Lacs as earnest money was a forged antedated document as the Stamp Paper was concededly issued on 31.05.2013.

The relevant portion, extracted from Para 3 of the judgment dated 31.01.2015, reads as under:-

“ From the above facts and circumstances, it emerges beyond any cavil of doubt that the present agreement dated 11.5.2010 as well as receipt dated 20.6.2011 have been forged by

the plaintiff in connivance with attesting witnesses, stamp vendor and others. Therefore, without any lurking doubt looming in my mind, the criminal case is required to be registered against the plaintiff, attesting witnesses namely Satish Kumar, Suresh Bhatia and Kuldeep Singh and even against others who have conjointly after hatching deep rooted criminal conspiracy committed this heinous crime for causing wrongful gain to themselves and wrongful loss to defendants No.1 and 2. ”

It is contended that the petitioner is a licensed Stamp Vendor and had sold the Stamp Paper to one Paramjit Singh, another Stamp Vendor on 03.06.2013 under proper entry in the register, which was subsequently used by Paramjit Singh in connivance with others and, therefore, he has no role to play in the commission of the offence.

After hearing learned Counsel for the petitioner, keeping in view the gravity of the offence and to unravel the criminal conspiracy, no case for grant of anticipatory bail to the petitioner is made out.

Accordingly, the present petition stands dismissed.

January 29, 2016
Gagan

(JASWANT SINGH)
JUDGE