

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

(I) CRM-M-4112-2014 (O&M)

Date of decision : 19.09.2016

Jai Singh

...Petitioner

Versus

State of Punjab

...Respondent

(II) CRM-M-5275-2014 (O&M)

Date of decision : 19.09.2016

Inder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Narinder Singh, Advocate,
for Mr. S.S. Sarwara, Advocate,
for the petitioner in CRM-M-4112-2014.

Mr. Briz Mohan, Advocate,
for Mr. S.P.S. Chakkal, Advocate,
for the petitioner in CRM-M-5275-2014.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Baljit Singh.

Mr. Harminder Singh, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The above noticed two petitions have been filed under Section

438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioners in case FIR No.101 dated 15.12.2013, registered under Sections 406, 420, 465, 467, 478, 471 and 120-B of the Indian Penal Code, at P.S. Ghanaur, Distt. Patiala.

Learned counsel for the petitioners contends that that the petitioners are the bona fide purchasers. The land in question was purchased from the original allottee, Piara Singh and others and an amount of ₹40,00,000/- was paid to the vendor in lieu thereof. It is further submitted that the petitioners have repeatedly joined the investigation.

On the other hand, learned State counsel, on instructions, states that though the petitioners have joined the investigation but they are not cooperating. It is contended that the custodial interrogation of the petitioners is required to establish the identity of the impersonators of Piara Singh and others.

Heard.

The land in dispute was admittedly allotted to Piara Singh and others being displaced persons in the year 1947, however, said Piara Singh never took the possession of the land in question which was allegedly encroached upon by one Jaswinder Singh, statedly a police official. The allegations against the petitioners and their co-accused are that they got executed sale deed dated 04.03.2013, in their favour from Piara Singh and others. Subsequently, it came to light that it was a sham transaction and two persons whose photographs are affixed on the sale deed, impersonated as Piara Singh and others.

Despite availing a number of opportunities, the petitioners have

not revealed the identity of those impersonators. Therefore, this Court feels that it is a fit case where custodial interrogation of the petitioners would be necessary to bring the investigation to a logical conclusion.

In view of the above, no case for grant of bail is made out.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

19.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No