

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

CRM No.M-42155 of 2014 (O&M)

Date of Decision: 18.02.2016

Dalbara Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Surinder Gandhi, Advocate for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

....

TEJINDER SINGH DHINDSA.J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.95 dated 21.08.2014, under Section 420 IPC, registered at Police Station City Malerkotla, District Sangrur.

It may briefly be noticed that FIR in question was registered after conduct of inquiry by an officer of the rank of Deputy Superintendent of Police upon a complaint filed by Malkit Singh containing accusations that the present petitioner had entered into an agreement to sell pertaining to land measuring 15 bighas and 6 ½ biswas on the strength of a Power of Attorney and had taken Rs.5 lacs as earnest money. In the inquiry, it has surfaced that Power of Attorney in possession of the petitioner was found to be fake and forged and as such, the complainant Malkit Singh has been duped.

On 18.12.2014, interim protection as regards arrest was granted to the petitioner by this Court subject to joining investigation.

Learned State counsel, who is on instructions from HC Harbax

Singh would apprise the Court that even though the petitioner has joined investigation twice over, yet he is not cooperating inasmuch as the documents in question as also the money has not been recovered.

It may be noticed that on 03.08.2015, counsel appearing for the petitioner had sought an adjournment on the ground that there has likelihood of a compromise being effected with the complainant. Repeated adjournments have thereafter been sought.

Mr. Surinder Gandhi, Advocate appearing for the petitioner submits that he has no instructions in the matter.

In the light of the allegations made against the petitioner which stand corroborated in an inquiry conducted as also keeping in view the conduct of the petitioner, he is not held entitled to the concession of pre-arrest bail.

Petition dismissed.

18.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**