

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 44216 of 2015
Date of decision:- 17.2.2016

Jagjit Singh

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. LM Gulati, Advocate
Ms. HK Athwal, DAG, Punjab.

M.M.S.BEDI,J.

The petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Puran Singh alleging that Ranjit Singh and other co-accused had defrauded the complainant, who was made to part with a sum of Rs. 1.24 crores by entering into an agreement of sale of 180 kanal 15 marlas of land belonging to Jarnail Singh on the basis that Jarnail Singh had executed an agreement of sale in favour of Ranjit Singh and had authorized Ranjit Singh to sell the land to the complainant, whereas no such agreement stood ever executed between Jarnail Singh and Ranjit Singh. So far as the petitioner is concerned, he is a witness to the alleged fake agreement of sale between Jarnail Singh and Ranjit Singh.

Pursuant to the interim order dated 15.1.2016 the petitioner has already joined the investigation and has denied to have attested any agreement of sale dated 21.9.2010. It is the case of the prosecution and the complainant that the abovesaid agreement of sale dated 21.9.2010 is a forged document and had been used by the main accused to dupe the complainant. Taking into consideration the role of the petitioner and he having joined the investigation, it does not appear to be a case of custodial

interrogation qua him. Merely because the other accused have not been arrested, the petitioner cannot be declined his right of liberty. The evidence gathered during the course of investigation till date does not indicate that the petitioner has received any amount to execute the alleged forged document.

Accordingly, the petition is allowed and it is ordered that in case of arrest of the petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the condition that he will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation.

February 17 ,2016
TSM

(M.M.S.BEDI)
JUDGE