

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

***CRM No.M-8100 of 2016 (O&M)
Date of decision:29.03.2016***

Raj Singh @ Raju Singh & another

... Petitioners

Vs.

State of Punjab

... Respondent

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

Present: Mr. Kamal Narula, Advocate for the petitioners.
Ms. Manpreet Dhaliwal, AAG, Punjab.
Mr. Kulbhushan Raheja, Advocate for the complainant.
...

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.6 dated 12.01.2016, under Sections 420/465/467/468/471/506/120-B IPC, registered at Police Station Mamdot, District Ferozepur.

Counsel for the parties have been heard.

FIR in question came to be registered on the statement of Nirmal Kaur. Allegations primarily pertain to land belonging to the share of her husband, namely, Sardar Singh, who is stated to have expired on 26.04.2011 having been taken on the strength of forged agreement to sell. Allegations are that during lifetime Sardar Singh (since deceased) had never entered into any agreement to sell and co-accused Karamjit Singh has executed sale deed of the land in question in his favour after the death of her husband. This entire exercise is stated to have been done at the hands of co-accused Karamjit Singh as also the present petitioners in connivance with each other.

During the course of hearing today, a specific query was put to

the counsel as regards possession of the land in question and it has been conceded that as of date Raj Singh @ Raju Singh is in possession of the land. It has also been conceded that the land in question was in exclusive possession of Sardar Singh during his lifetime. Counsel has not been able to justify Raj Singh @ Raju Singh, petitioner No.1 coming into possession of the land belonging to Sardar Singh (since deceased) and during the lifetime of his widow i.e. the complainant Nirmal Kaur.

In the light of such serious allegations, this Court is not inclined to extend the concession of anticipatory bail the petitioners.

Petition stands dismissed.

29.03.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**