

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

CRM-M-8122-2016

Decided on: April 11, 2016.

Devinder Singh Gill

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Abhinav Gupta, Advocate, for the petitioner.

Mr. Jashan Preet Singh, AAG, Punjab.

Mr. Brijender Kaushik, Advocate, for the complainant.

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession or regular bail in a case registered at the instance of Rashmi Negi alleging that the petitioner along with his other co-accused owed money to the father of the complainant, as such, he approached the complainant and handed over copies of property registered in his name to the complainant. On confirmation, the complainant came to learn that the petitioner, in connivance with his co-accused Dhan Raj and Sumedh Gulati, had fraudulently on the basis of impersonation of one N.K. Dua, got registered a sale deed in his favour. On making inquiries, the complainant came to learn from GAMADA that co-accused Dhan Raj had forged identity of N.K. Dua by producing forged documents. The petitioner had in his way allegedly committed cheating with the complainant.

Learned counsel for the complainant has intervened to oppose application for bail contending that the petitioner is involved in seven

criminal cases. List of the said cases has been handed over in the form of affidavit of the complainant.

During course of arguments, it transpires that no wrongful loss has been caused to the complainant. However, the complainant claim herself to be a public spirited person having locus standi to expose the petitioner regarding the offence committed by him. It also transpires that the petitioner was also an accused in a case under Section 376 IPC which was registered at the instance of the complainant.

Without going into the details of the controversies between the petitioner and the complainant, I have gone through the police file.

Challan has already been presented.

A perusal of the police file indicates that there has been an old rivalry between the complainant and the petitioner on account of their financial transactions. The complainant has earlier launched prosecution u/s 376 IPC against the petitioner. It will be pre-mature to form any opinion whether on account of the previous enmity the petitioner has been involved in the case or the petitioner had actually been able to dupe the complainant in the manner, as alleged, but it is sufficient to observe that as per the allegations in the FIR no wrongful loss appears to have been caused to the complainant by the petitioner.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial court/Illaq Magistrate.

(M.M.S. BEDI)
JUDGE

April 11, 2016
harsha