

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

TAPINDER SINGH MANN
20/04/2016 17:13

Cr. Misc. M 9748 of 2016
Date of decision: 6.4.2016

Anterdhian Singh

Petitioner

VS.

State of Punjab

Respondent

Present: Mr. Amit Arora, Advocate.
Ms. HK Athwal, DAG, Punjab.

M.M.S.BEDI,J.

Counsel for the petitioner has inter alia argued that on the basis of General Power of Attorney (Annexure P-1) dated 3.7.1996 the petitioner had been given an authority to transfer plot measuring 112.50 sq. yds situated at Ajnala Road, Amritsar.

I have heard counsel for the petitioner and gone through the authority of General Power of Attorney, which suggests that the petitioner had been given an authority by Kulwant Rani to submit an application for restoration of the cancelled plot and to get any other plot in its place. The petitioner had been given authority only to transfer the plot, if allotted. Agreement dated 4.3.2010 (annexure P-2) , alleged to have been executed between Kulwant Rani and the complainant that she has got right to sell the plot, is absolutely nonest as she could not be presumed to have a right to transfer a property, which does not vest in her.

In view of the above circumstances, I do not find any ground to grant the concession of pre-arrest bail to the petitioner as the petitioner has received a sum of Rs.1.80 lacs from the complainant in a fraudulent manner.

Dismissed, without prejudice to the right of the petitioner to approach this court again in case the matter is amicably resolved by returning the amount, received by him.

April 6 ,2016
TSM

(M.M.S.BEDI)
JUDGE