

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

**CRM No. M-12355 of 2017 (O&M)
Date of Decision: 03.05.2017**

Rana Prabhdeep Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. A.S. Narang, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

Mr. K.S. Nalwa, Advocate for the complainant.

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.75, dated 25.12.2016, under Sections 420/465/467/468/471/120-B IPC, registered at Police Station Mullanpur Garibdas, District SAS Nagar (Mohali).

FIR came to be registered on the statement of Gurbachan Singh son of Bachan Singh.

It was asserted that in the month of January, 2014 and with the intervention of two property dealers, namely, Sarabjit Singh and Harwinder Singh, complainant met up with the present petitioner as also his brother Rana Hardeep Singh and who in turn informed the complainant as regards a company, namely, Rana Mahinder Paper Mills to be the owner of certain agricultural land in village Fatehpur, District Mohali. Present petitioner and co-accused, Rana Hardeep Singh had allegedly portrayed themselves to be the Directors of the company. On 29.01.2014, an agreement to sell is stated

to have been entered into between the complainant and the company for land measuring 61 kanals and 6 marlas at the rate of Rs.68 lakhs per acre. The total sale consideration amount was Rs.5,18,50,000/-. At that stage, Rana Hardeep Singh is stated to have informed the complainant that there was a loan of Rs.25 lakhs on the land in question and which would be cleared prior to the execution of the sale deed. Complainant's version is that over a period of time, a sum of Rs.2.25 crores was made over in the form of earnest money. Out of such amount, Rs.1.25 crores was paid by cheque in the name of the company and for which receipts have been issued by Rana Hardeep Singh, co-accused. Complainant's version further is that the balance amount of Rs.1 crore was paid in cash and entrusted jointly to the petitioner and Rana Hardeep Singh, even though, receipts in token thereof had been issued by Rana Hardeep Singh. The target date for registration of the sale deed was fixed as 20.08.2014 and thereafter extended to 31.01.2015.

FIR came to be registered in a situation whereby the sale deed was not registered and earnest money allegedly having been misappropriated. It is also the allegations made by the complainant that subsequently it came to their knowledge that the loan outstanding against the land in question was to the tune of Rs.20 crores approximately and a fake and forged *jamabandi* had been shown to him.

Learned counsel appearing for the petitioner would vehemently argue that the present petitioner had resigned from the directorship of the company in the year 2009 itself. No criminal liability can be fastened upon him in relation to a transaction i.e. the agreement to sell entered into

between the complainant and the company. Further contended that even as regards allegations of forgery and fabrication of certain revenue documents are concerned, the same are not direct against the present petitioner and who has otherwise faced incarceration since 08.03.2017.

Counsel appearing for the complainant has also put in appearance and has been heard.

Having heard counsel for the parties at length, this Court is not inclined to extend the concession of bail to the petitioner at this stage.

Undoubtedly, Rana Hardeep Singh would be seen as the main accused in the present case. Be that as it may, there are specific allegations of stamp papers worth Rs.2000/- having been purchased by the present petitioner and in the name of his brother i.e. Rana Hardeep Singh, co-accused upon which the agreement to sell has been scribed on 29.01.2014. Furthermore, part of the earnest money i.e. Rs.1 crore was allegedly entrusted to both Rana Hardeep Singh as also his brother i.e. the present petitioner.

The matter is still at the stage of investigation. Main accused, Rana Hardeep Singh is still on the run.

In the totality of circumstances, the prayer for grant of bail is declined at this stage.

Dismissed.

03.05.2017

Harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |