

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

**CRM No.M-16087 of 2017 (O&M)
Date of Decision: 12.05.2017**

Rakesh Kumar Sharma @ Bittu

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.63, dated 26.04.2016, under Sections 419/420/465/468/471/120-B IPC, registered at Police Station Division No.1, Jalandhar.

FIR came to be registered on the statement of Gurdev Singh. Complainant asserted that he had entered into an agreement to sell in respect of a plot measuring 4.5 marlas with one Chandan Singh, who was holding the General Power of Attorney from the original owner. Precise allegations are that a sum of Rs.1.5 lakhs has been made over as earnest money and an unknown person had been brought forth by certain property dealers for impersonating for the real Chandan Singh.

The property dealers/brokers, who have facilitated such fraudulent transaction have been specifically named by the complainant to be Sonu son of Nishan Singh, Hira Singh and the present petitioner.

The contention raised by counsel is that even though the signatures of the present petitioner appear on the agreement to sell in question as a witness but he had only identified the complainant, Gurdev Singh and as such, had no role insofar as the fake person having been propped up instead of real Chandan Singh.

The factum of the present petitioner being a property broker is not disputed.

Prosecution version regarding the present petitioner in the capacity of a broker being in connivance with the other two brokers prima facie carriage weight.

It is a matter which would require a deep and thorough probe. Co-accused, Hira Singh as also Sonu son of Nishan Singh are on the run.

It is a case where custodial interrogation of the petitioner may well be warranted.

Prayer for grant of bail is declined.

Petition dismissed.

12.05.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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