

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

CRM No.M-21010 of 2017 (O&M)
Date of Decision: September 27, 2017

Parmod Kumar Nagpal

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Harparteek Singh Sandhu, Advocate
for the petitioner.

Mr.Ajay Pal Singh Gill, DAG, Punjab
for the respondent-State.

Mr.Bikramjit Aroua, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.53 dated 15.04.2016 under Section 406 and 420 IPC, registered at Police Station Bassi Pathana, District Fatehgarh Sahib.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that FIR in the present has been got registered on the application given by Kamaljit Singh against Neeraj Arora and Parmod Nagpal, for taking action against them for grabbing the money in the name of plots. Neither plot was allotted nor money was refunded. It

is alleged that money of the complainant has been held under well planned

conspiracy with malafide intention. It is also in the FIR that installment was being paid after a year and its time was determined 4 and 6 years. It is further alleged that money has been deposited but no such plot has been allotted.

At the time of arguments, learned State counsel brought it to the notice of this Court that there is not only complaint of one person. Rather, during investigation, statements of 78 persons have been recorded with whom the fraud has been committed by the accused as neither the plot has been allotted nor money has been refunded to them. Learned State counsel further submitted that though the petitioner has joined the investigation in compliance of order dated 02.06.2017 but he is not cooperating in the investigation.

Learned counsel for the petitioner states that benefit of anticipatory bail has already been given to co-accused Neeraj Arora. I find that, at that time, the fact regarding complaints by 78 persons was not brought to the knowledge of this Court and statements of those persons have been recorded later on and there is nothing that Neeraj Arora was not cooperating in the investigation.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I do not find it a fit case, where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

September 27 , 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No