

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CRM-M-23127-2016

Decided on : 18.04.2017

Ranjit Singh

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.D.D.Sharma, Advocate, for the petitioner.

Mr.Kirat Singh Sidhu, DAG, Punjab.

Mr.B.S.Randhawa, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through this petition filed under Section 438 Cr.P.C., the petitioner seeks the concession of anticipatory bail in FIR No.65, dated 08.06.2016, registered under Sections 420 and 120-B IPC, at Police Station Mataur, Mohali.

As per the case of the prosecution, the complainant was the owner of a tenanted premises which he wanted to be vacated. In this connection, he came in contact with the petitioner, who impersonated himself to be a police officer and assured the complainant that he would get his showroom vacated on payment of Rs.11 lakhs. Rs.6 lakhs was then given by the complainant to co-accused Daljit Singh and Rs.5 lakhs to Kulwinder Singh, who is stated to have passed on this amount to the petitioner. An agreement to sell the property in question was also got executed between the wife of the complainant, who was the owner of the property and co-accused Kulwinder Singh. Such agreement was entered into on the asking of the petitioner and his co-accused as according to them it would facilitate the vacation of the tenanted premises. However, after receipt of the above money, the tenanted premises was not got vacated.

Rather the agreement to sell was misused by the petitioner and his co-accused. When the complainant sought cancellation of the agreement to sell, the petitioner and his co-accused demanded a further amount of Rs.3 lakhs which was paid.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner is not the beneficiary and even if the contents of the FIR are taken as the gospel truth, which he does not admit, no amount was ever entrusted to the petitioner and that the petitioner is ready and willing to join investigation as and when required.

Learned State counsel as well as counsel for the complainant seek rejection of the petition on the ground that the petitioner by impersonating himself to be a police officer, alongwith his co-accused, has duped the complainant for a huge sum of Rs.14 lakhs and that another FIR being FIR No.379, dated 22.12.2014, registered under Sections 170, 171, 384, 465, 468, 471, 473, 379, 120-B and 411 IPC, at Police Station Zirakpur, is pending against the petitioner in which he is facing trial.

It is not disputed by learned State counsel that the petitioner is facing trial in FIR No.379, dated 22.12.2014, registered under Sections 170, 171, 384, 465, 468, 471, 473, 379, 120-B and 411 IPC, at Police Station Zirakpur, in which he is on bail. The particulars of the above FIR as also the status thereof, which is now admitted to be pending against the petitioner, are not found disclosed in the present petition which according to me should have been disclosed as such fact throws light on the antecedents of the petitioner which is a determinable factor for the grant of anticipatory bail. The petitioner having not disclosed such a fact would be considered to have not approached this Court with clean hands and thus, would disentitle himself to the grant of anticipatory bail.

Even otherwise, the allegations against the petitioner are rather serious in which he alongwith his co-accused, is alleged to have extorted money to the tune of Rs.14 lakhs from the complainant by impersonating himself to be a police officer. There are specific allegations of Rs.5 lakhs having been entrusted to the petitioner. Such money needs to be recovered. It further needs to be probed whether the petitioner has indulged in similar activities qua other victims especially when another FIR is pending against him in which he is also alleged to have impersonated himself to be a public servant.

Co-accused namely Kulwinder Singh, Daljit Singh and Amandeep Singh, who are alleged to be associated in the crime alongwith the petitioner are also habitual offenders. The criminal cases pending against them are tabulated as under: -

Name	Case(s)	Status
Kulwinder Singh	1. FIR No.79, dated 05.08.2007, registered under Sections 341, 324, 325, 323, 148 and 149 IPC at Police Station Bassi Pathana, District Fatehgarh Sahib.	Pending trial
	2. FIR No.40, dated 10.04.2015, registered under Sections 411, 482, 483 and 488 IPC, at Police Station Sirhind.	Pending trial
Daljit Singh	1. FIR No. 71, dated 07.05.2015, registered under Sections 341, 506, 427, 148 and 149 IPC, at Police Station Mandi Gobindgarh.	Pending trial
Amandeep Singh	1. FIR No.40, dated 10.04.2015, registered under Sections 411, 482, 483 and 488 IPC, at Police Station Sirhind.	Pending trial
	2. FIR No. 59, dated 11.04.2015, registered under Sections 379, 380, 382, 420, 467, 468 and 471 of the Arms Act, at Police Station Lalru.	Under investigation

In view of the above, I do not consider the present case to be a fit one for the grant of anticipatory bail.

Dismissed.

18.04.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned
Whether reportable

:

Yes / No
Yes / No