

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

**CRM-M-36873-2016
Date of decision-20.01.2017**

**Harjant Singh and another
Vs.
State of Punjab**

**...Petitioners

...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S.Singhpuria, Advocate for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Bhupinder Ghai, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.73 dated 20.09.2016, registered under Sections 420, 406 and 120-B of Indian Penal Code (in short 'IPC') at Police Station Kheri Gandyan, District Patiala.

Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case. On the last date of hearing, petitioners made a statement that they are ready and willing to execute the agreement to sell dated 14.10.2015.

Learned counsel for the complainant states that prior to the agreement in question, the petitioners had entered into an agreement with regard to the same land with Narinder Pal Singh. Said Narinder Pal Singh had filed a criminal complaint against the petitioners. The petitioners had allegedly taken Rs. 30 lakh as sale consideration and had executed the sale deed. A photocopy of the same is circulated in the Court and the same is taken on record as Mark 'A'.

Subsequent to the agreement to sell, the petitioners have entered into an agreement dated 14.10.2015 and have received Rs.55 lakh as sale

consideration.

On the other hand, learned State counsel informs that the land in question stands mortgaged with Cooperative Bank vide mortgage deed dated 30.03.2014. It is further submitted that though the petitioners have joined the investigation, however, they are not cooperating.

I have heard learned counsel for the parties and have gone through the case file.

In view of the above and considering the fact that though the petitioners have joined the investigation, however, they are not cooperating. The Court feels that it is a fit case where custodial interrogation of the petitioners is required to unearth the truth.

In this view of the matter, no case for grant of bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

January 20, 2017

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No