

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

CRM No.M-38403 of 2016 (O&M)

Date of decision:27.01.2017

Sukhwant Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present:- Mr. Vikram Satpal Anand, Advocate for the petitioner.

Mr. Neeraj Sharma, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.177, dated 07.08.2016, under Sections 420/465/467/468/471/120-B IPC, registered at Police Station City Faridkot.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Sukhdev Singh Brar. Precise allegation is that the present petitioner in the presence of co-accused Manpreet Singh and Kuldip Singh had been entrusted a sum of Rs.10 lacs at the time of executing an agreement to sell dated 23.07.2011 in respect of a land measuring 200 kanals on the inducement that the petitioner had a right to further alienate such land which though was in the ownership of Robinder Singh and Ramanjeet Singh. As per agreement to sell, the target date for execution of the sale deed was fixed as 10.04.2012. Precise allegation is that the sale deed was never executed and the complainant thereafter became aware that the petitioner in connivance with other co-accused and with an intent to cheat has played a fraud and thereby misappropriated a sum of Rs.10 lacs.

During the course of hearing today, learned State counsel, who is on instructions from ASI Naginder Singh would apprise the Court that during the course of investigation, two other witnesses have come forth and their statements had been recorded to the effect that prior in point of time, the present petitioner had even entered into a similar fraudulent agreement with them.

Court has also been informed that the petitioner had returned a sum of Rs.3.50 lacs to the complainant, namely, Sukhdev Singh Brar. If that be the factual aspect, the stand taken on behalf of the petitioner that he has no connection with the complainant and has had no dealings with him do not inspire any confidence.

The FIR was registered on 07.08.2016 and the prayer for grant of concession of pre-arrest bail was declined by the learned Sessions Judge, Ferozepur on 29.08.2016.

The petitioner has been evading the process of law ever since. The allegations against the petitioner are grave and serious. This is a matter which would require a deep and thorough probe. It is case where custodial interrogation of the petitioner may well be warranted. This Court is not inclined to grant in favour the petitioner benefit of pre-arrest bail.

Petition accordingly is dismissed.

27.01.2017*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | Yes |