

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

**CRM-M-12763-2018
Date of decision: 21.11.2018**

Gurdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Manish Kumar Singla, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, DAG, Punjab.

Mr. Sherry K. Singla, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 1 dated 24.01.2018, under Sections 420, 465, 467, 471 and 120-B of the IPC, registered at Police Station NRI Sangrur, District Sangrur.

Learned counsel for the petitioner submitted that the allegations against the petitioner are that he has executed a sale deed and sold a house of the complainant on the basis of alleged forged Special Power of Attorney of the complainant. It is further submitted that as per the sale deed, petitioner has sold the property for Rs.1.50 Lakh and has deposited an amount of Rs.3.00 Lakh before the Illaqa Magistrate/trial Court subject to final outcome of the trial.

On 27.03.2018, the petitioner was granted interim anticipatory bail, subject to the conditions that he will deposit an amount of ₹3 Lakh with the Illaqa Magistrate/trial Court subject to final outcome of the trial.

Subsequently, learned counsel for the complainant has

submitted that in fact a huge amount was transferred in the account of the petitioner by Jarnail Singh, husband of the complainant, and as per the bank details, the same comes to ₹70 Lakh approximately and the petitioner has not accounted for the same and has mis-utilized.

On 10.09.2018, on the request of the petitioner that the complainant is the mother of the petitioner, there can be possibility of an amicable settlement, the matter was referred to Mediation and Conciliation Centre of this Court.

Learned counsel for the complainant has submitted that in fact the petitioner has refused to explore the possibility of amicable settlement. It is further submitted that in FIR No. 126 dated 16.07.2018, under Sections 341, 323, 308 read with Section 34 of the IPC, registered at Police Station Lehra, District Sangrur by the petitioner against Kuldeep Singh, who is step brother of the petitioner, and Kuldeep Singh has filed a petition for grant of anticipatory bail, which was contested by petitioner Gurdeep Singh being complainant and ultimately the same was dismissed, vide order dated 16.11.2018 passed in CRM-M-45203-2018. In that case, the complainant i.e. present petitioner Gurdeep Singh has opposed the prayer of Kuldeep Singh for grant of anticipatory bail which demonstrates that petitioner Gurdeep Singh is not inclined for any amicable settlement pertaining to both the FIRs.

Learned State counsel, on instructions from ASI Varinder Kumar, has opposed the grant of bail to the petitioner on the ground that allegations are serious in nature and custodial investigation is required.

I have heard learned counsel for the parties and considering the serious allegations in the present FIR that petitioner has forged and

fabricated the power of attorney dated 19.04.2005, pertaining to the property of the complainant, who is his mother, and has further sold her shop on 29.06.2006, the present petition is dismissed as no ground for grant of anticipatory bail is made out.

November 21, 2018

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No