

CRM-M-27161-2018

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

CRM-M-27161-2018

Date of Decision: 13.08.2018

Baldev Singh @ Bittu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jatinder Pal Singh Smagh, Advocate,
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. B.J.S.Jatana, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 (1) of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.190 dated 26.12.2017, registered at Police Station Kulgarhi, District Ferozepur, under Section 9 of the PC Act, 1988 and Section 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They have contested this petition.

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

CRM-M-27161-2018

From the record, I find that FIR, in the present case, has been registered on the statement of Jasbir Singh son of Swaran Singh. As per the FIR, Mahavir Singh entered into an agreement to sell in respect of land measuring 8 acres for the amount of ₹88 lakhs through property dealers namely Jasbir Singh Kamgar and Baldev Singh @ Bittu (present petitioner). There is allegation that the sale deed was executed by impersonation by producing Mahal Singh, uncle of Mahavir Singh instead of his father Gurmeet Singh. The petitioner is only the mediator in the deal and has nothing to do with the impersonation.

In pursuance of the interim order dated 11.07.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 11.07.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

13.08.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No