IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28333-2018 (O&M)
Date of Decision:-26.10.2018.

Satnam Singh

.....Petitioner

Versus

State of Punjab

......Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

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Present: Mr. Amit Kumar, Advocate for the petitioner.

Mr. Nikhil K. Chopra, Additional A.G. Punjab.

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P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioner has sought for anticipatory bail in case FIR No.31 dated 17.04.2018 under Sections 419/420/465/467/468/471/120-B IPC, registered at Police Station Sadar, Ahmedgarh.

2.) Learned counsel for the petitioner submitted that there was an illegal transaction in respect of transfer of property of the complainant-Rajinder Singh which was transferred by fake sale deed in the name of M/s Sirmour Financial Service Limited. Such transfer of property in the name of M/s Sirmour Finance Service Limited was alleged to be result of fraud, cheating on the basis of fake documents. Thereafter, M/s Sirmour Financial Service Limited and complainant-Rajinder Singh entered into compromise and agreed to pay Rs.20 lakhs to complainant and got the sale deed registered in his name after getting the record correct which is already in their name pursuant to mutation No.991. In view of the said compromise accused Ranbir Singh issued two cheques of Rs.3 lakh each and paid Rs.4 lakh in cash to the complainant. Despite the compromise, accused Ranbir Singh and other not get the sale deed registered in their name after getting the record correct. Moreover, the cheque issued by them was also dishonoured. Hence, the present FIR.

3.) Learned counsel for the petitioner submitted that petitioner was not at all beneficiary nor there is any role played by him in the fraud played upon the complainant. Hence, petitioner is entitled to bail.

4.) On the other hand, learned counsel for the State submitted that a fake sale deed was prepared of the land belonging to the complainant and the petitioner obtained the money from the Company Rs.8 lakh cash and Rs.5 lakh by way of cheque No.151719 of OBC, Ludhiana in the name of Rajinder Singh, complainant and bank issued draft No.307796 and in order to encash that amount an account No.2109101024349 in Canara Bank Branch Ludhiana, Rajpura Road in the name of complainant and petitioner was the witness to the account opening. However, complainant has no knowledge about this Court. Fake account was opened by the petitioner in the name of complainant Rajinder Singh so as to grab money. Hence, petitioner is not entitled for any relief.

5.) Heard the learned counsel for the parties.

6.) From the perusal of the record, it is clearly evident that there is prima facie material on record against the petitioner as he was very much involved in the crime. There are certain facts which are required to be verified i.e. from the creation of fake sale deed to opening of account and further giving cheques to the complainant and role played by each of the accused in the crime and recovery of amount. Therefore, petitioner is not entitled to anticipatory bail.

7.) Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

October 26, 2018.
sandeep

Whether speaking/reasoned:- Yes / No

Whether Reportable:- Yes / No.