

206-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.40827 of 2017
Date of Decision: 02.04.2018

Jasveer Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. B.S. Jatana, Advocate, and
Harvinder Singh Maan, Advocate,
for the petitioners.

Ms. Rajni Gupta, Senior D.A.G., Punjab.

Mr. Karan Garg, Advocate,
for the complainant.

SUDIP AHLUWALIA, J. (ORAL)

This is an application for grant of anticipatory bail to the petitioners in case F.I.R. No.192, dated 11.10.2017, under Sections 419, 465, 467, 468, 477 and 120-B of the Indian Penal Code, registered at Police City Sunam, District Sangrur.

2. The allegation against the present petitioners is that they induced the complainant to enter into an Agreement for sale in which the purported vendor, namely Kalian Singh, had impersonated himself as Sukhchain Singh, the recorded owner of the land in question, and who otherwise actually happens to be the father of the impostor Kalian Singh.

Partial consideration money in cash as well as by Bank account deposits was passed on in favour of the said imposter/purported vendor. There is a specific allegation in the F.I.R. that the original Agreement itself has been retained by the present petitioners, who allegedly pressurized the complainant to first pay the balance amount of consideration price, only after which they would deliver the aforesaid vital document to him. To that extent, the present petitioners stand on a different footing from co-accused Janak Raj against whom no such allegations were made out in the F.I.R., and who admittedly was not a signatory to any of the previous transactions. In the present case, however, the petitioners certainly appear to be the attesting witnesses to the Agreement dated 27.07.2015 between one Balwinder Singh and the same imposter, namely Kalian Singh, who represented himself to be his own father "Sukhchain Singh".

3. A copy of the aforesaid Agreement in any case is available in the Police Case Diary, on account of which the allegations made against the present petitioners cannot be right away discarded at this stage, particularly considering that the purported second Agreement entered into by the complainant and the said imposter is yet to be recovered.

4. For these reasons, this Court is not inclined to grant extraordinary relief of anticipatory bail to the petitioners at this stage.

5. Dismissed.

02.04.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

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| 1. Whether speaking/ reasoned : | Yes/ No |
| 2. Whether reportable : | Yes/ No |