

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

CRM-M-46553-2017 (O&M)

Date of decision: February 15, 2018

Dalail Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Bajaj, Advocate for the petitioner.

Mr. A.A. Pathak, Addl. Advocate General, Punjab.

Mr. Amit Dhawan, Advocate for the complainant.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 406, 420, 120-B IPC at Police Station Navi Baradari, District Jalandhar, vide FIR No.84 dated 3.5.2017.

The FIR was registered on the basis of complaint made by Jatinder Pal Singh etc. to the effect that earlier land measuring 117 Kanals 9 Marlas was owned by Gurdeep Singh, Jagjit Singh, Hari Singh sons of Kehar Singh. They entered into an agreement to sell on 18.06.2010 with the complainants for a sale consideration of Rs.2.00 Crores and also received Rs.50,00,000/- as earnest money at that time. Out of the total sale consideration, complainants paid Rs.1,50,00,000/- and target date for execution and registration of the sale deed was 20.04.2012. However, later

complainant found that Gurdeep Singh and Jagjit Singh had appointed the petitioner as their, attorney vide document No.6713 dated 13.12.2010. Taking advantage of said power of attorney in his favour, petitioner executed two sale deeds on 17.02.2011, one in favour of his wife Surjit Kaur and another in favour of Manpreet Kaur and Kamaljit Kaur his daughter-in-law, Jasbir Kaur wife of Kuldeep Singh, Manjit Kaur wife of Balbir Singh and Surinder Kaur wife of Amrik Singh. Thereafter, wife of the petitioner sold the land to Arpana and Amla Jain, vide three sale deeds dated 8.2.2012. By executing the aforesaid sale deeds, accused have deprived of the complainants to claim right, if any, on the land in question and the amount of Rs.1,50,00,000/- paid by the complainants has been misappropriated.

Keeping in view serious nature of allegations, huge amount involved and the conspiracy hatched between the parties, no case for anticipatory bail is made out. It may not be possible to unravel the entire *modus operandi* of the crime, in case petitioner is armed with a protective order. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

February 15, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No