

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

CRM M-50019 of 2017

Date of decision :04.05.2018

Harpal Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Mansur Ali, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG Punjab.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 420, 465, 467, 468, 471 & 120-B IPC vide FIR No. 0122 dated 03.06.2016 at police station Salem Tabri, district, Ludhiana. It has been urged before the court that petitioner is neither a beneficiary of sale-deed in question nor signed any document. According to learned counsel, no recovery is to be effected from the petitioner. Thus, he deserves the concession of bail. Learned State counsel has opposed the prayer. He submits that petitioner alongwith his brother Gurmeet Singh hatched a conspiracy and prepared fake sale-deeds purported to be executed by Kartara Ram in favour of Gurmeet Singh.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged on the basis of complaint moved by complainant Gurinderjit Nagha etc. He alleged that his father Kartara Ram who was the owner of 5000 square yards of land in Ludhiana was a

permanent resident of England. He died on 11.01.1988 in U.K. Petitioner alongwith other accused by taking benefit of absence of Kartara Ram, hatched a conspiracy and prepared four fake sale-deeds of 1250 square yards each purportedly executed by Kartara Ram in favour of Gurmeet Singh-brother of the petitioner. When this fact came to the knowledge of the complainant, he approached the revenue authorities where it was revealed that accused in connivance with each other had also fraudulently obtained ex-parte judgment and decree and got sanctioned the mutation in favour of Gurmeet Singh. Thereafter, said property was sold by the accused. FIR was registered and investigation ensued. During the course of investigation, it transpired that petitioner is the person who prepared fake sale-deeds and impersonated as Gurmeet Singh before the Sub-Registrar. Thereafter, brother of the petitioner filed a civil suit and obtained ex-parte order in his favour and got sanctioned the mutation. Stand of the investigating agency before this court is that custodial interrogation is required for unraveling the entire modus operandi.

In view of above, prayer of the petitioner for grant of pre-arrest bail is without any merit. Petition is dismissed.

Keeping in view the nature of crime further investigation be supervised by Commissioner of Police, Ludhiana and a report be submitted within six weeks.

May 04, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No