

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52765 of 2018
DECIDED ON: December 03, 2018

JAGTAR SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Kunal Siag, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.100 dated 12.09.2018, registered under Sections 406, 420 and 120-B IPC, Police Station Morinda, District Rupnagar.

According to the prosecution, petitioner duped complainant Gian Singh, a retired army personnel, for Rs.60 lakhs showing himself to be owner of agricultural land alleged to have been purchased by him from one Amanpreet Singh and Sardara Begum.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the instant case. The petitioner has not misrepresented the complainant, because he had entered into an agreement to sell dated 04.01.2018 to purchase the land, which he had

agreed to sell vide sale deed dated 16.03.2018 to the complainant. The witnesses namely Kulwinder Singh and Surjit Singh, to the agreement to sell allegedly entered into by the petitioner in favour of the complainant were introduced and inserted lateron, are hard core criminal, inasmuch as, they are facing trial in criminal cases of similar nature. The petitioner even got marked his presence before Sub-Registrar by way of affidavit and also served legal notice (P-6) to the complainant, but he did not respond to the same. The petitioner had also moved representation to the Senior Superintendent of Police, Rupnagar (P-7) that the complainant has committed fraud. The petitioner is ready to join the investigation.

On the other hand, learned State counsel assisted by learned counsel for the complainant contends that the petitioner is habitual offender. He was earlier booked in three similar types of cases of fraud for duping the innocent people for several lakhs of rupees by entering into agreement to sell. In one of the cases, he has been convicted pertaining to FIR No.7 dated 13.01.2010, under Sections 420, 406, 405, 467, 468 and 471 IPC, Police Station Bassi Pathana and in other two cases, he had been acquitted on technical grounds and by giving benefit of doubt. The complainant has been duped by the petitioner for his hard earned money.

Having given anxious consideration to the rival submissions made by learned counsel for the parties, this Court is not inclined to differ with the findings of the Sessions Judge, Rupnagar in order dated

11.10.2018 (P-9), in which, it has been observed that from the very beginning the petitioner had agenda to dupe the complainant for his retiral benefits, who served this country for several years. The petitioner has duped retired army personnel for Rs..60 lakhs on the false pretext of selling the land.

Dismissed.

03.12. 2018

sonika

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No