

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9722-2018 (O&M)
Date of Decision:-31.08.2018.

Suresh Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Dr. Anmol R. Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate for the petitioner.

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

P.B. BAJANTHRI, J. (Oral)

In this petition, petitioner has sought for regular bail in case FIR No.62 dated 21.05.2015 under Sections 420/120-B IPC, registered at Police Station Balachaur, District SBS Nagar.

2.) Learned counsel for the petitioner vehemently contended that petitioner – Suresh Kumar is only a witness to the agreement entered between the Jagwinder Singh @ Jaswinder Singh and Amarjit Singh on 20/30.09.2009 wherein certain transaction has been taken place in respect of purchase of property mentioned in the agreement. Amarjit Singh is stated to have paid a sum of ₹ 10,00,000/- in 2 installments (₹ 6,00,000 + ₹ 4,00,000/-). Whereas, allegation against the petitioner is that Amarjit Singh had paid a sum of ₹ 6,00,000/-. Question for consideration is that if

there is agreement between Amarjit Singh and Jagwinder Singh @ Jaswinder Singh whereas, question of payment of ₹ 6,00,000/- to petitioner Suresh Kumar do not arise. Therefore, any reference to agreement to contend that petitioner is only a witness is wholly irrelevant and not tenable. There is no explanation of the petitioner in respect of receipt of ₹ 6,00,000/- by him. Thus, petitioner has not made out a case for regular bail.

3.) Accordingly, petition stands dismissed.

4.) At this stage, learned counsel for the petitioner submitted that challan has been presented, therefore, petitioner is entitled to regular bail. It is to be noted that the amount which has been paid to petitioner-Suresh Kumar is by late Amarjit Singh and the complainant is by wife of Amarjit Singh. In view of the fact that ₹ 10,00,000/- are involved, now-a-days cheating of money in respect of property matters are umpteen number. In fact Supreme Court has come down heavily on property dealers who have cheated common man, therefore, it is not appropriate to grant regular bail at this stage. Therefore, it is rejected.

(P.B. BAJANTHRI)
JUDGE

August 31, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.