

...

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11779-2018

Date of Decision : May 07, 2019

Jagdeep and another Petitioners

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Present Mr. Aditya Sanghi, Advocate,
for the petitioners.

Mr. D.K.Mittal, DAG, Haryana,
for respondent-State.

Mr. Yogesh Goel, Advocate,
for the complainant.

SHEKHER DHAWAN, J.

Present petition under Section 438 of the Code of Criminal Procedure is for grant of pre-arrest bail in case bearing FIR No. 0609 dated 22.09.2017 under Sections 120-B, 406, 420, 467, 468 and 471 IPC registered at Police Station Sonipat City, District Sonipat.

2. Allegations against the petitioners are that they had taken a sum of Rs.12.00 Lakhs from complainant, Kanta as sale price of half plot and that was to be handed over to the vendor at the time of execution of the sale deed. The last date for execution of the sale deed was fixed as 28.02.2016, but later on the complainant came to know that there was no person in the name of Sumit son of Mahipal and both the accused persons prepared false agreement of sale with intention to deceive the complainant.

...

3. Learned counsel for the petitioners contended that the petitioners have been falsely implicated and custodial investigation of the petitioners is not required in this case. So they be released on pre-arrest bail.

4. Learned State counsel opposed the bail application on the ground that there are specific allegations of cheating against the present petitioners and they are required for the purpose of investigation. So, no case is made out for grant of concession of pre-arrest bail to the petitioners.

5. Having considered the submissions made by learned counsel for the parties and appraisal of record of this case file, this Court is of the considered view that there are specific allegations of forgery and cheating against the present petitioners and they are required for effective investigation. No case is made out for granting pre-arrest bail to the petitioners.

6. Resultantly, the present petition fails and the same stands dismissed.

(SHEKHER DHAWAN)
JUDGE

May 07, 2019
som

Whether speaking/reasoned?	:	Yes
Whether reportable?	:	Yes