

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CRM-M-13997-2019
Date of Decision : April 24, 2019

Raj Kumar Petitioner

Versus

The State of Haryana Respondent

2. CRM-M-15913-2019

Manbir Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Argued by Mr. Jagdish Manchanda, Advocate,
and Mr. Gurpreet, Advocate,
for the petitioner in CRM-M-13997-2019.

Mr. Abhimanyu Singh, Advocate,
for the petitioner in CRM-M-15913-2019

Mr. Ashish Sangi, DAG, Haryana,
for respondent-State .

SHEKHER DHAWAN, J.

The above titled two petitions, by Raj Kumar and Manbir,
under Section 438 of the Code of Criminal Procedure for grant of

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anticipatory bail in case bearing FIR No. 327 dated 21.09.2018 under Sections 419, 420, 467, 468, 471 and 120-B IPC registered at Police Station - Civil Lines, Bhiwani, District Bhiwani

2. Facts relevant for the purpose of decision of the present petitions; on the basis of complainant made by Krishna, Suman daughters of Shivdhan Dass, Daya & Samundri daughters of Harbi, Sanjay son of Piare Lal, present FIR was registered and during investigation Ram Babu suffered disclosure statement to the effect that he has come to know about the property of his uncle Ramdhan. Thereafter he met with Manbir, Raj Kumar alias Babli, Mukesh, who are property dealers at Bhiwani and they arranged to sell the property in the question. Subsequently, Ram Babu, Manbir, Raj Kumar alias Babli and Mukesh in collusion with each other produced fake persons in place of Mandeep son of Banrsi, Kailash and Sanjay sons of Pyare Lal, Samundri, Daya daughters of Harbai, Atul son of Moji Ram and prepared two forged and fabricated Power of Attorneys in their favour and sold the property in dispute by misusing the above said Power of Attorneys and different sale deeds dated 29.11.2014, 01.12.2014, 11.11.2014 and 28.11.2014 were executed in respect of the property in question. Sanjay impersonated as said Mandeep, Ajit impersonated as said Atul whereas Virender impersonated as said Kailash. Petitioner Manbir is a property dealer and he produced Kavita wife of Jagbir in place of Samundari and got prepared the above said forged power of attorney. Manbir also arranged Rambabu, Bhanwar Singh, Namberdar and Anoop Singh for identification of Kavita as Samundari at the time of execution of said power of attorney by offering

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money to them. The said property was sold for crores of rupees and offence was committed the petitioners and others in criminal conspiracy with each other.

3. At the time of arguments, learned counsel for the petitioners contended that the police had already taken the papers of the transaction and even the GPA and sale deeds. The petitioners have not been shown as beneficiaries of the said sale deeds. They had no role in the present case and there is no specific attribution against the present petitioners. The petitioners be released on anticipatory bail.

4. Learned State counsel while opposing the bail applications contended that it is a case of conspiracy hatched by all the accused persons whereby the above named persons were impersonated and forged and fabricated Power of Attorneys were executed and on that basis different sale deeds were executed. The matter requires investigation and no case is made out for releasing the petitioners on pre-arrest bail.

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 the present case relates to execution of forged and fabricated Power of Attorneys and Sale deeds by way of impersonation and property worth crores of rupees was transferred on the basis of alleged forged documents by the accused persons in conspiracy with each other. The entire matter requires intensive investigation. Allegations against the petitioners are serious in nature. As such, this Court is of the considered view that no case is made out for grant of concession of pre-arrest bail to the petitioners.

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6. Resultantly, both the above mentioned petitions stand dismissed.

(SHEKHER DHAWAN)
JUDGE

April 24, 2019
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Whether speaking/reasoned?	:	Yes
Whether reportable?	:	Yes