

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

**CRM-M-30135-2019
Reserved on : 16.09.2019
Pronounced on : 17.09.2019**

Swarn Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ripudaman Singh Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. K. S. Brar, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J.

The petitioner prays for grant of anticipatory bail in FIR No. 60 dated 24.05.2019, registered under Sections 420, 465, 467, 471, 120-B of the IPC at Police Station Chamkaur Sahib, District Rupnagar.

Brief facts of the case are that the present FIR was got registered by one Harjinder Singh Bhangu with the allegations that he is the holder of Aadhar Card bearing No. xxxx xxxx 7178 and later on, he came to know about the existence of an Aadhar Card bearing No. xxxx xxxx 1041, which was prepared with the complete address of the complainant, however, there was the photograph of some other person on it. The police, thereafter, registered the FIR and during investigation, it is found that the aforesaid Aadhar Card bears the photograph of co-accused Balwinder Singh and the same was used for the purpose of executing the fake sale deeds of Pearl

Group in the States of Madhya Pradesh and Tamilnadu.

Learned counsel for the petitioner has argued that there is no direct allegation against the petitioner as the name of the petitioner surfaced on the disclosure of co-accused Balwinder Singh, who was initially joined investigation by the police.

Learned counsel for the petitioner further argued that the petitioner has not signed any document and has not misused the said fake Aadhar Card.

The petitioner was directed to join investigation on 24.07.2019 as it was submitted by the Investigating Officer that the petitioner has not signed any document on the basis of the said fake Aadhar Card. Thereafter, the petitioner was again directed to join investigation as on the next date, the Investigating Officer stated that the petitioner has not joined investigation.

In the meantime, the anticipatory bail application of co-accused Balwinder Singh was dismissed by this Court on 13.09.2019 by passing the following order in CRM-M-37568-2019:

“Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of complainant Harjinder Singh Bhangu, it is stated that he is the holder of Aadhar Card bearing No. xxxx xxxx 7178 and later on, he came to know about the existence of an Aadhar Card bearing No. xxxx xxxx 1041, which was prepared with the complete address of the complainant, however, there was the photograph of some other person on it. On registration of the FIR, the police conducted the investigation and during investigation, it is found that the petitioner, by faking the Aadhar Card of other persons,

especially regarding the properties of the Pearl Group, has executed fake sale deeds in the States of Madhya Pradesh and Tamilnadu.

Learned counsel for the petitioner further submits that the petitioner is falsely implicated in this case on account of the fact that he has given a complaint against the mother of the complainant.

Learned counsel for the petitioner further submits that the said Aadhar Card was not used for any collateral purposes.

Learned State counsel, on instructions from ASI Pawan Kumar, assisted by learned counsel for the complainant, has, however, opposed the grant of anticipatory bail to the petitioner on the ground that the petitioner, by posing himself as Sita Ram has executed a sale deed in Tamilnadu. Similarly, he faked another sale deed which was executed by one Gurcharan Singh in Madhya Pradesh.

Learned State counsel further submits that qua the properties of the Pearl Group, a litigation is pending before Hon'ble Supreme Court in Civil Appeal No. 13301/2015 and there is a stay regarding alienation of the properties belonging to the Pearl Group and the petitioner and others have adopted a modus operandi to identify the properties of this group in different parts of the country and by posing themselves to the the owner of the such properties on fake and fictitious documents, the petitioner has executed two fake sale deeds in Tamilnadu and Madhya Pradesh and, therefore, the custodial investigation of the petitioner is required to find out if some other similar fraud has been committed by the petitioner.

After hearing learned counsel for the parties, I do not find any ground to grant anticipatory bail to the petitioner considering the serious allegations against him.

Petition stands dismissed.”

Learned counsel for the petitioner has, however, submitted that the petitioner is not involved in any other case and he has falsely been implicated in the present case.

In reply, learned State counsel, on instructions from ASI Pawan Kumar, assisted by learned counsel for the complainant, has submitted that co-accused Balwinder Singh stands arrested on 13.09.2019 and he has again made a disclosure that the petitioner is involved in two more similar FIRs and he is also involved in one FIR in Maharashtra.

Learned State counsel has further submitted that co-accused Balwinder Singh has also disclosed that in fact the petitioner is involved in preparing fake documents like Aadhar Card and the Aadhar Card of the complainant was also prepared by the petitioner, on the basis of which, the fake sale deeds were executed.

Learned State counsel has, thus, opposed the grant of anticipatory bail to the petitioner on the ground that the custodial investigation of the petitioner is required to find out the nexus between the petitioner and co-accused Balwinder Singh and also to find out as to how many fake documents have been prepared by the petitioner.

Learned counsel for the petitioner further submits that the petitioner is falsely implicated in this case on account of the fact that he has given a complaint against the mother of the complainant.

After hearing learned counsel for the parties, I do not find any ground to grant anticipatory bail to the petitioner considering the serious allegations against the petitioner as well as the aforesaid submissions of learned State counsel and also in view of the fact that the accused persons

have been executing fake sale deeds of Pearl Group despite the fact that Hon'ble Supreme Court, in Civil Appeal No. 13301/2015, has granted stay on the alienation of the properties of the Pearl Group.

Accordingly, this petition is dismissed.

17.09.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No