

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

CRM-M No.40655 of 2019

Date of decision: 23.09.2019

Satnam Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K. Singla, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this second petition is for grant of anticipatory bail to the petitioner in FIR No.140 dated 06.07.2019 registered under Sections 420, 120-B IPC at Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

The first petition was dismissed as withdrawn on 17.09.2019 with liberty to file afresh petition.

Counsel for the petitioner has submitted that on the basis of a registered power of attorney executed by the complainant Bachan Kaur in which she has given right to transfer her property, the petitioner has transferred the property in favour of Manmohan Singh son of Bachan Kaur. Later on, the present FIR has been registered with the allegations that 13-14 days prior to registration of the FIR, her son Manmohan Singh has taken her to Khanna on the pretext that some application with regard to petrol pump is to be made and under that pretext, by playing fraud, he got executed an attorney in favour of the complainant and on the basis of the same, he has got transferred the property in his name.

Counsel for the petitioner has argued that the power of attorney is a registered document and immediately thereafter, even Bachan Kaur has filed the civil suit challenging the aforesaid documents, therefore, the dispute primarily is of civil nature and the petitioner be granted the concession of anticipatory bail.

Mr. Harsh Bunker, Advocate, who has appeared on behalf of the complainant at his own, has argued that the FIR has been registered immediately after coming to know about the fraud played upon by the son of the petitioner as well as the petitioner Satnam Singh along with other accused. It is further submitted that before registration of the FIR, an enquiry was conducted by the police authorities and after obtaining the opinion of the District Attorney, the present FIR has been registered.

Counsel for the complainant has further submitted that the complainant is an old widow lady and is an illiterate person and therefore, her thumb-impressions were obtained by playing a fraud by her son and the petitioner Satnam Singh has conspired to get the property of the petitioner ousting the other heirs.

After hearing the counsel for the parties, I find no ground to grant anticipatory bail to the petitioner as there are serious allegations against the petitioner that he in conspiracy with Manmohan Singh has played fraud upon the complainant Bachan Kaur, who is an old and illiterate lady and by obtaining an attorney, immediately got transferred the property in the name of Manmohan Singh, therefore, the custodial interrogation of the petitioner is required.

In view of the above, finding no ground, this petition fails and is accordingly dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

23.09.2019

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No