

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

1. CRM-M-42171-2019 (O&M)

Jaibir Singh

...Petitioner

Versus

State of Haryana

...Respondent

2. CRM-M-45442-2019

Yashbir Singh

...Petitioner

Versus

State of Haryana

...Respondent

Date of decision: 28.11.2019

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vishwajeet, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

Mr. B. S. Dhillon, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions as they arise out of the same FIR.

These petitions have been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to petitioners Jaibir Singh and Yashbir Singh in FIR No. 448 dated 05.09.2019, registered under Sections 406, 420, 506 of the IPC at Police Station Shahabad, District

Kurukshetra.

Brief facts of the case are that complainant Dilpreet Singh made a complaint against the petitioners and other accused that he is the owner of truck bearing registration No. HR-65-A-5156 and the same was sold by him to petitioner Yashbir Singh for a total sale consideration Rs. 19,00,000/- and out of the said amount, Rs. 6,45,000/- was paid to him in cash and it was assured that the balance payment of Rs. 12,55,000/- will be made on or before 06.08.2019 and a cheque was also issued in this regard. However, when the cheque was dishonoured, the complainant found that in fact he has been cheated as the petitioners, who are real brothers, have not only played fraud with him but also issued a legal notice that the cheque in dispute will not be misused by him.

While issuing notice of motion on 01.10.2019 in CRM-M-42171-2019, petitioner Jaibir Singh, who is real brother of co-accused Yashbir Singh, was directed to join investigation. Thereafter, on 23.10.2019, the Investigating Officer submitted in Court that the truck in question has not been recovered as petitioner Jaibir Singh is not returning the same.

Even today, learned counsel for the petitioners has shown inability of the petitioners to hand over the said truck to the Investigating Officer.

In view of the same, the present petitions are hereby dismissed.

A photocopy of this order be placed on the file of other connected case.

28.11.2019

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

**(ARVIND SINGH SANGWAN)
JUDGE**

*Yes/No
Yes/No*