

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

**Crl. Misc. No.M-49812 of 2019 (O&M)
Date of Decision: December 16, 2019**

Jaswinder Pal Singh

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. H.S. Brar, Advocate for
Mr. K.S. Brar, Advocate
for the petitioner (s).

Mr. Avtar Singh, Addl. A.G., Punjab.

Ms. Promila Nain, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.97 dated 18.10.2019 registered for the offences punishable under Sections 406, 409, 420, 465, 467, 468, 471 read with Section 120-B of Indian Penal Code at Police Station Khamano, District Fatehgarh Sahib.

Heard.

As per allegations of the complainant, her land measuring 4 kanal 11 marlas, situated in village Jatana Uccha was acquired and she had gone to the office of Sub Divisional Magistrate-cum-Land Acquisition Officer, Fatehgarh Sahib in September, 2018, where one Mohinder Singh @

Billu, who was working as aid to Patwari Jaswinder Singh, Circle Jatana Uccha met her and assured her that he will help in getting the amount of compensation of the acquired land and the same will be deposited in her bank account through RTGS as he is in good relations with dealing hand Inderjit Singh, Clerk, who took copy of her bank account passbook bearing No.1619651342 of Central Bank of India, Madhopuri Chowk, Ludhiana. He introduced complainant with Inderjit, who asked her to bring attested affidavit and obtained her signatures on one register on a revenue stamp. He assured her of deposit of amount of compensation in her account within one or two days. Thereafter, she was paid ₹27,00,000/- through RTGS in June, 2019 and was apprised that for the payment of remaining amount of ₹89,00,000/-, she had to approach Sub Divisional Magistrate, Khamano, as the work of land acquisition has already been transferred there. She approached Sub Divisional Magistrate, Khamano in June, 2019 and met the dealing Clerk Baljinder Singh. Inderjit Singh also came to this Court and on seeing her, Mohinder Singh @ Billu suddenly fled away from the spot. Later on, the complainant apprised her family of the incident and on inquiry, it was found that an amount of ₹89,00,000/- payable to her was deposited on 21.09.2018 in the bank account number 68027433983 in Maharashtra Bank, Branch Sirhind, as this account number was mentioned in her affidavit by tampering. On further inquiry, it transpired that affidavit of petitioner was also forged and the aforesaid account was of Mohinder Singh @ Billu, who was working as aid of petitioner, posted as Patwari in Circle Jatana Uccha. Now, petitioner Jaswinder Singh has been placed under suspension for playing fraud with one Rajni Jain and Manish Jain,

whose land was also acquired and in this regard, another FIR has also been registered against the petitioner. The complainant, on inquiry, came to know that fraud with her has been played by Mohinder Singh in connivance with Inderjit Singh, Clerk in the office of Sub Divisional Magistrate, Khamano.

Learned State counsel and learned counsel for the complainant submit that Mohinder Singh was engaged by petitioner as his assistant. The amount of compensation of complainant was deposited in his account and on the same day, another account was opened in the name of petitioner and his wife in that bank. Petitioner obtained blank cheques from Mohinder Singh @ Billu and withdrew all the money. Custodial interrogation of petitioner is required to find where the amount of compensation withdrawn by petitioner has travelled.

It is a case where fraud has been played with the complainant and the case calls for thorough investigation to be conducted. Complainant has been deprived of ₹89 lakhs, she had to receive as compensation for acquisition of her land.

Keeping in view the above facts and circumstances, I do not find any reason to exercise the discretionary power of this Court to extend the benefit of anticipatory bail to the petitioner.

This petition has no merits. Dismissed.

December 16, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***