

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-50227-2019(O&M)
Date of Order: 27.11.2019

RANJIT SINGH

..Petitioner

Versus

STATE OF PUNJAB

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mansur Ali, Advocate,
for the petitioner.

ANIL KSHETARPAL, J(Oral)

Petitioner prays for grant of pre-arrest bail in a criminal case arising out from FIR No.0009, dated 07.03.2019, registered under Sections 406/420/120-B IPC, at Police Station N.R.I., District S.A.S. Nagar, Mohali.

Detailed facts as noticed by the Court of Sessions while dismissing the bail application are extracted as under:-

2. Brief facts necessary for dealing with present bail application are that the aforesaid FIR was registered on the basis of complaint moved by one Dishu Sindaur with the allegations that he and his wife Narinder Kaur are NRIs and are presently settled in Canada. They contacted applicant accused Ranjit Singh and his brother Baljeet Singh, who were running business in the name of National Associates Property in the year 2006 in connection with purchase of property. On 05.07.2006, said persons received an amount of Rs.16.75 lacs from them on the pretext of purchasing them a plot of 8

marlas in Akas Cooperative Housing Building Society, Mohali and also issued a certificate in that regard on 06.07.2006. Subsequently, they received another amount of Rs.21,20,000/- from them on 04.09.2008 for purchasing another plot of 10 marlas in the same society. Thereafter, possession of those plots was never delivered to them for two years. Thereupon applicant-accused and his brother told them that possession of said plots was not available and they would arrange other plots for them. Applicant-accused and his brother purchased them plot No.1245 in Sector 86 Mohali and share in Wembley's Cooperative House Building Society, which was originally in the name of one Vijay Ohri. Since thereafter, possession of the plots was not delivered to them. However, applicant-accused and his brother supplied them share certificate, will and affidavit of Vijay Ohri regarding sale of his share to them. Even thereafter no plot was given to them despite receipt of Rs.41 lacs from them. Thereby applicant-accused, his brother and Vijay Ohri cheated them of a huge amount. On the basis of said complaint, enquiry was conducted and aforesaid FIR was registered against applicant-accused and his brother Baljeet Singh.”

Learned counsel for the petitioner contends that the registration of the FIR is beyond time and there is a delay of 12 years in registration thereof. He further submits that Vijay Ohri is still the owner of the property.

On careful perusal of the order passed by the Court of Sessions, it has been *prima facie* observed that the copy of the Will of Vijay Ohri on the police record shows that the same has been signed by the petitioner-accused-Ranjit Singh. Still further, first informant had paid a sum of Rs.41,00,000/- in the hope of purchasing two residential properties,

however, during all these years, their hope stands shattered.

As regards time gap, the offence cannot be deemed to have been committed on the date the payment was made. Initially, the petitioner projected that he will get them plot in M/s Akash Cooperative House Building Society Ltd., however, no possession was delivered. Thereafter, alternative allotment in M/s Wembley's Cooperative House Building Society Limited which also did not come through.

In view thereof, this court is not inclined to grant concession of pre-arrest bail to the petitioner.

Dismissed.

November 27, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No