

CRM-M-5211-2020

-1-

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

CRM-M-5211-2020

Date of decision-11.02.2020

Vijay Kumar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S.Bhullar, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.028 dated 03.02.2019 registered under Sections 120-B, 419 and 420 of Indian Penal Code, 1860 at Police Station City Mandi Dabwali, District Sirsa.

Learned counsel for the petitioner contends that as per the allegations, the property belonging to complainant, Amritpal Singh was fraudulently sold through sale deed No.2152 dated 05.09.2016. He submits that the petitioner is not the beneficiary of the said transaction. The said instrument was witnessed by one another witness, namely, Narender Kumar. He submits that pre-arrest bail of his co-accused who is similarly situated is pending before this Court, who has been granted the concession of pre-arrest bail vide order dated 16.01.2020 (Annexure P-3). Learned counsel further submits that the petitioner is ready to join the investigation and in the

given facts, his custodial interrogation may not be necessary.

On the contrary, the prayer of the petitioner is opposed by learned State counsel who is assisted by ASI Ramswaroop on the ground that the custodial interrogation of the petitioner is required in the present case as vendor of the instrument is yet to be identified who impersonated as Amritpal Singh. Learned State counsel has produced the photocopy of the said sale deed dated 05.09.2016 to contend that the photo of seller in sale deed is not of the original owner (complainant), and therefore, the petitioner does not deserve the concession of pre-arrest bail.

After hearing learned counsel for the parties, this Court is of the opinion that the person who allegedly impersonated as Amritpal Singh is yet to be identified, therefore, this Court does not find it to be a fit case for grant of pre-arrest bail to the petitioner. Resultantly, without meaning any expression of opinion on the merits of the case, prayer is declined.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

11.02.2020

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No