

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6847-2020 (O&M)
Date of Decision:- 25.2.2020

Sarmukh Singh @ Surmukh Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.P.Singh, Advocate for
Mr. B.S.Bhalla, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in case registered vide FIR No.251, dated 18.12.2019, Police Station Guruharsahai, District Ferozepur, under Sections 419, 420, 465, 467, 468, 471, 120-B IPC.
2. Mrs. Gursharan K. Mann, Advocate has appeared on behalf of the complainant and filed memo of appearance. The same is taken on record.

3. The FIR in question was lodged at the instance of Prince Kamboj wherein he has levelled allegations against Sajjan Singh, Balvir Kaur, Virsa Singh, Paramjit Kaur, Surmukh Singh, Sukhraj Kaur, Jagjit Singh @ Jagga, Harpinder Singh @ Judge and six unidentified persons including two women. It has been alleged therein that complainant's father Nek Raj received a telephone call from mobile No.8475006313 of Sajjan Singh, who represented that some land was available for sale at cheap rates. Subsequently, a property dealer namely Virsa Singh also called complainant's father on mobile phone and offered to show the land in question, upon which the complainant's father called them in village Panje Ke Uttarh where Virsa Singh, Surmukh Singh @ Tota Singh and Sajjan Singh came in their car and represented that land measuring 32 acres and 4 kanals, situated in village Rerwan was available for sale. The complainant's father liked the land and agreed to purchase the same. On 7.10.2019, Sajjan Singh, Virsa Singh, accompanied by imposter Sandeep Singh and imposter Gurmit Singh who were impersonating as such, came to their house. Later, the complainant came to know that the person who was impersonating as Sandeep Singh was infact Harpinder Singh @ Judge and the person impersonating as Gurmit Singh was infact Jagjit Singh @ Jagga son of Hari Singh. They were accompanied by unidentified men and a woman. A deal was settled for sale of land @ ₹6 lacs per acre and an amount of ₹4 lacs was given as earnest money and an agreement was executed. Subsequently, an amount of ₹6 lacs was transferred into the account of Sandeep Singh on 19.10.2019. It

is further the case of prosecution that another amount of ₹20 lacs was transferred by way of RTGS transactions in the account of aforesaid Sandeep Singh who was infact impersonating as such. On 22.10.2019, another amount of ₹20 lacs is stated to have been transferred in the account of imposter Gurmit Singh. It is also the case of prosecution that subsequently, another amount of ₹6 lacs was also transferred into the account of imposter Gurmit Singh-accused. It is, thus, the case of prosecution that the land was infact owned by Sandeep Singh, Gurmit Singh and Nirmaljit Kaur whereas the same was sought to be sold by the accused by way of impersonation. The prosecution alleges that the complainant's father had, thus, been duped for an amount of ₹85 lacs.

4. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that even from a bare perusal of the FIR it is revealed that the only role attributed to the petitioner is that he had accompanied Virsa Singh on one occasion and that he had never held out any false representation and is not even alleged to have accepted any amount from the complainant.
5. Opposing the petition, the learned State counsel has submitted that the petitioner was conniving with the other accused and had together represented to the complainant that land measuring 32 acres and 4 kanals was available for sale and that in these circumstances no case for grant of bail is made out.
6. I have considered rival submissions addressed before this Court. In the present case the complainant has been duped of an amount of ₹85

lacs which he had transferred in the accounts of the imposters Sandeep Singh and Gurmit Singh pursuant to false representations having been held out by Surmukh Singh and Sajjan Singh to the effect that land measuring 32 acres and 4 kanals was available for sale in Village Rerwan. In these circumstances, this Court does not find any special case for grant of anticipatory bail to the petitioner.

7. The petition is sans any merit and the same is hereby dismissed.

(GURVINDER SINGH GILL)
JUDGE

February 25, 2020
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Whether speaking /reasoned Yes / No

Whether Reportable Yes / No