

CRM-M-6844 of 2020 (O&M)

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

CRM-M-6844 of 2020 (O&M)

Date of Decision: 27.02.2020

Dhanwant Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Keshav Pratap Singh, Advocate, for the petitioner.
Mr. Bhupender Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

CRM-7349 of 2020

Through this application under Section 482 Cr.P.C. prayer has been made for placing on record copy of affidavit of complainant Rohit Kumar as Annexure P-4.

Heard.

For the reasons mentioned in the application, same is allowed.

Affidavit of complainant is taken on record as Annexure P-4.

CRM-M-6844 of 2020

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.250 dated 16.09.2018 registered under Sections 420, 465, 467, 468, 471, 120-B IPC at Police Station Derabassi, District SAS Nagar (Mohali).

According to prosecution, in the year 1996, petitioner sold 32 bighas of his land to M/s Golden Forest India Limited for a sale consideration of ₹14,08,000/- through registered sale deed. However, mutation qua sale deed in favour of M/s Golden Forest India Limited was

CRM-M-6844 of 2020 (O&M)

not incorporated in the revenue record for the reasons not known. Taking advantage of the said fact, petitioner in the years 2010 and 2011, resold the same very land to Gurcharan Singh and Ram Kumar, who further sold it to Nitin Sood and Sachin.

Learned counsel *inter alia* contends that petitioner resold the land only after obtaining cancellation deed from his vendee M/s Golden Forest India Limited in the year 1997. Petitioner is innocent. Complainant had no *locus standi* to lodge impugned FIR. That apart, after lodging FIR, complainant has given affidavit dated 09.01.2019. He is receiving his deposited amount from M/s Golden Forest India Limited through a committee appointed by the Hon'ble Supreme Court. Thus, petitioner is not required for any custodial interrogation.

Refuting above submissions, learned State counsel submits that petitioner is required for custodial interrogation to know his *modus operandi* for reselling the land fraudulently to Gurcharan Singh and Ram Kumar after 14 years, which he sold in the year 1996 to M/s Golden Forest India Limited for ₹44.00 lakh.

Considering overall facts and circumstances and the alleged fraud committed by the petitioner, this Court finds that petitioner is definitely required for custodial interrogation.

Dismissed.

February 27, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No