

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

CRM-M-12028-2020

Date of Decision:-20.5.2020

HARDEEP SINGH ALIAS HAPPY

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.S. Dhaliwal, Advocate for the petitioner.

Mr. Sandeep Vermani, Addl. A.G. Punjab.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.14 dated 12.2.2020 under Sections 420, 406, 120-B IPC at Police Station City Raikot, District Ludhiana Rural.
2. The FIR in question was lodged at the instance of Gurpreet Singh wherein it is alleged that he had sold his land measuring 2.5 acres in the year 2018. At the time of sale of said land Laddo son of Sampuran Singh introduced him to deed-writer Hardeep Singh and the said Hardeep Singh represented that he was in touch with a party who wanted to sell his land

and that he could get the said land at a low price. It is alleged that said Hardeep Singh had got complainant introduced with Inderjit Singh and Chamkaur Singh and they represented that the land in question was presently mortgaged with the bank as there was a loan limit and that in case the complainant pays an amount of ₹5 lakhs to the bank straightway, they would be able to sell the land to the complainant at the rate of ₹10 lakhs per acre. The complainant being taken in by the said representation paid an amount of ₹16 lakhs out of which a transaction of ₹11 lakhs was made through bank. The complainant has alleged that despite receipt of said amount the land in question was not sold to him nor his amount was returned.

3. The learned counsel for the petitioner has submitted that the entire amount in question was paid to Inderjit Singh and that even the bank transaction was made in the account of Inderjit Singh.
4. It has further been submitted that in fact the complainant had earlier come up with different version with regard to ₹16 lakhs inasmuch as he had submitted a complaint dated 14.01.2019 (Annexure P-1) to SSP, Barnala alleging that Malkit Singh along with Dara Singh, Nishan Singh, Inderjit Singh, Harpreet Singh, Chamkaur Singh had duped him of an amount of ₹16 lakhs on the pretext of sending him abroad but the said complaint was later consigned to record as would be evident from the letter at Annexure P-2. It has been submitted that in fact the name of the petitioner Hardeep Singh does not even figure in the earlier complaint Annexure P-1 and that the petitioner is merely a typist working in Court

at Mehal Kalan.

5. Opposing the petition, learned State counsel has submitted that since there are specific allegations levelled in the FIR from which it is evident that the petitioner had introduced the complainant to Inderjit Singh and that they had duped the complainant of huge amount out of which a substantial amount of ₹11 lakhs was paid through bank, the complicity of the petitioner is evident.
6. I have considered rival submissions addressed before this Court. It is no doubt correct that the petitioner is specifically named in the FIR but the fact remains that the amount in question especially the amount of ₹11 lakhs regarding which the bank transaction has been made was transferred in the account of co-accused Inderjit Singh. In any case even in earlier complaint dated 14.1.2019 (Annexure P-1) wherein also allegations pertaining to an amount of ₹16 lakhs have been made, the name of the petitioner is conspicuously missing. Although it is correct that the allegations made in the earlier complaint dated 14.1.2019 (Annexure P-1) were entirely different but amount mentioned therein was same i.e. ₹16 lakhs. In view of the aforesaid facts and circumstances and the fact that the substantial amount has been received by Inderjit Singh, the petitioner can be extended the benefit of anticipatory bail. The petition, as such, is accepted and it is ordered that the petitioner, in the event of his arrest shall be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon

to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

20.5.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No