

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

CRM-M-16723-2020 (O&M)
Date of Decision: 29.06.2020

Piara Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Harnaresh Singh Gill

Present: Mr. Kushaldeep S. Sandhu, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Harnaresh Singh Gill, J (Oral).

Case is taken up for hearing through Video Conferencing.

The petitioner seeks grant of concession of anticipatory bail in case bearing FIR No. 86 dated 10.05.2020 under Section 420 IPC, registered at Police Station Bilga, District Jalandhar (Rural).

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the instant case as he has nothing to do with the money invested by the complainant with co-accused Harjit Singh. It is further submitted that the complainant being the cousin of the petitioner, the petitioner tried his best to get the matter settled between Harjit Singh and the complainant and even

persuaded said Harjit Singh to get an agreement to sell executed for the sale of the land measuring 7 marlas in favour of the complainant. It is further submitted that had there been any ill-will or mala-fide on the part of the petitioner, he would never have tried to get the matter settled between the parties.

On the other hand, the learned State Counsel has vehemently opposed the prayer of the petitioner contending that the petitioner had been instrumental in getting the money of the complainant invested with co-accused Harjit Singh and that a huge amount of Rs.13 lacs (approximately) had been usurped by the accused in connivance with each other.

Having heard the learned counsel for the parties, I do not find any ground to grant the concession of anticipatory bail to the petitioner.

The contents of the FIR are categorical that petitioner-Piara Singh and co-accused Harjit Singh had issued a cheque for Rs.2,85,000/- in favour of the complainant's mother Kashmir Kaur and that the said cheque got dishonoured. Though, in the inquiry conducted by the Incharge, Economic Offences Wing, District Jalandhar, it was pointed out that it was Harjit Singh, who had issued the cheque of Rs.2,85,000/- in the name of the mother of the complainant and that the said cheque, upon presentation to the Bank, was dishonoured, yet the fact

remains that Piara Singh, has been specifically named by the complainant in the FIR for having acted in connivance with co-accused Harjit Singh. Still further, the complainant has alleged that Piara Singh had got executed an agreement to sell between co-accused Harjit Singh and complainant for sale of 7 marlas of plot, but no sale deed was executed.

In view of the above, the role of the petitioner, being a middle man and thus, in getting money of the complainant invested in the companies of Harjit Singh, cannot be ruled out. Moreover, as per the petitioner himself, he was part of the settlement between co-accused Harjit Singh and the complainant. It could not be disputed that neither of the settlements, firstly, honouring of the cheque and secondly execution of the sale deed, was honoured. Thus, the custodial interrogation of the petitioner and co-accused Harjit Singh, for unearthing the racket of alluring the innocent people to invest money in their companies, with a false notion of double return, is necessary.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

29.06.2020
ds

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No