

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

201

Date of Decision: 25.2.2020

CRM-M of 22325 of 2019

RAMESH KAUR @ RESHAM KAUR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CRM-M of 22357 of 2019

JARNAIL SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CRM-M of 29007 of 2019

PARAMJIT KAUR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CRM-M of 31478 of 2019

HARDEEP SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Onkar Rai, Advocate
for the petitioner(s).

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

Mr.V.K.Sandhir, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

Vide this common order, all the four petitions i.e.CRM-M Nos. 22325, 22357, 31478 and 29007 of 2019 are being disposed of. Since all the petitions have arisen out of the same FIR, therefore, the facts are being culled out from CRM-M No.22325 of 2019.

These petitions have been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No. 195 dated 5.12.2018 under Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police Station Dharamkot District Moga.

Interim order was passed in favour of the petitioner(s) and the petitioner(s) was ordered to be released on interim bail subject to his furnishing personal bonds/ surety bonds to the satisfaction of the Arresting Officer. Thereafter, interim order was allowed to continue. On 25.9.2019, learned State counsel, on instructions from ASI Buta Singh, Police Station Dharamkot, Moga, submitted that the petitioner(s) has not joined the investigation and the conveyance deed executed in favour of wife(s) of the petitioner/ co-accused has not been produced by the petitioner(s) before the Investigating Officer. Petitioner(s) was again allowed to join the investigation. The issue of conveyance deeds needs to be elaborated.

The FIR was lodged at the instance of complainants Sukhwinder Kaur and Salwant Kaur. Allegations are that the

land in question was sold to the complainants vide registered sale deeds dated 8.9.2016 and 6.4.2018. The title of the complainants was challenged by the petitioner on the ground that the aforesaid sale deeds were without considerations. Precisely for that reason, a suit for declaration is pending. Hardeep Singh has also filed a complaint under Section 138 of the Negotiable Instruments Act in respect of dishonouring of cheque. Subsequent to the sale deeds, the petitioner(s) has transferred the land in question in favour of wife(s) of the petitioner/co-accused. By virtue of the interim order, the petitioner(s) was directed to join the investigation and cooperate with the Investigating Officer. The said indulgence was extended by this Court even vide order dated 25.9.2019.

In view of statement made by learned State counsel, on instructions from ASI Balbir Singh, it appears that the petitioner(s) is unwilling to cooperate with the Investigating Officer and does not want to get the conveyance deed(s) recovered.

On a pointed query, learned counsel for the petitioner(s) submits that the conveyance deeds are in possession of patwari, when the same were submitted to him for sanctioning of mutation of the land in question.

Learned State counsel states that even statement of patwari has been recorded by the Investigating Officer and the

stand of the petitioner(s) has been found to be wrong. Only photocopies of the conveyance deeds were handed over to the patwari and original conveyance deeds are still with the petitioner(s).

In view of above, no further indulgence is required to be given to the petitioner(s).

The present petitions are hereby dismissed.

February 25, 2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No