

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

CRM-M-24642-2020 (O&M)

Date of Decision:04.09.2020

Rajender Gupta

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.K. Bokolia, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Sourabh Goel, Advocate for the complainant.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail in case FIR No.276, dated 01.07.2020, under Sections 419/420/467/468/471/120-B IPC, registered at Police Station Faridabad Central, District Faridabad.

Counsel for the parties have been heard.

Briefly, it may be noticed that FIR had been registered on the complaint of Narender Kumar on the allegations that the accused (petitioner herein) forged a Power of Attorney in the year 2005 and on the strength of which sold a parcel of land admeasuring 1200 sq. yards to three ladies.

On the previous date of hearing i.e. on 27.08.2020, submission made by counsel for the petitioner had been noticed that the General Power of Attorney in question was not forged but rather had been made in favour of

the petitioner by the original owner/complainant. Undertaking of the counsel had been recorded that the original documents pertaining to the sale transaction including the General Power of Attorney would be handed over to the Investigating Agency within a period of three days from the date of passing of the order i.e. 27.08.2020. Hearing in the petition had been deferred to 04.09.2020 and arrest of the petitioner had been stayed till then.

During the course of resumed hearing today, Mr. Saurabh Mohunta, learned DAG, Haryana informs the Court that the original General Power of Attorney has not been furnished by the petitioner.

Counsel representing the petitioner seeks to justify the conduct of the petitioner by submitting that an attested copy of the General Power of Attorney has been procured and an attempt has been made to hand over the same to the Investigating Officer and who declined to accept the same. A new stand is sought to be taken that the original General Power of Attorney is infact in possession of the buyers.

Such stand is not borne out in the pleadings made in the petition. It is clearly an afterthought.

Stand taken on behalf of the petitioner does not inspire confidence.

It is a matter which would require a deep and thorough probe and which may well entail the custodial interrogation of the petitioner.

Prayer for pre-arrest bail is declined.

Petition is dismissed.

04.09.2020

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |