

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

**CRM-M-484-2021
Date of decision: 11.01.2021**

Gurcharan Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Kiran Kumar Madan, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioners in case FIR No. 158 dated 19.10.2020, registered under Sections 420 and 120-B IPC at Police Station Maqsudan, District Jalandhar.

Learned counsel for the petitioners submits that as per the allegations levelled in the FIR, registered on the complaint of one Avtar Singh, it is stated that petitioners Charanjit Singh, Gurcharan Singh along with their wives and their father Pritam Singh have offered complainant to sell their three acres of land, whereupon he paid Rs. 16,00,000/- as earnest money, out of which, Rs.8,50,000/- was withdrawn from the account of complainant and Rs.3,50,000/- from the account of his daughter and Rs.4,00,000/- was arranged from his relatives and were paid to Gurcharan Singh and Charanjit Singh. Thereafter, Pritam Singh was sent to judicial custody and when the complainant contacted the other persons, they informed that the sale deed will be executed only after when Pritam Singh will be released from jail. Thereafter, on receiving some amount, the sale

deed of the land was got scribed but Tehsildar refused to register the same on the pretext that some litigation is pending, which was not disclosed by the accused persons.

Learned counsel for the petitioners further submits that as per allegations levelled in the FIR, in 2015, the complainant and his son approached Charanjit Singh to become witness in sale deed to be executed by Balwinder Kaur, which was not registered due to pendency of some case.

Learned counsel for the petitioners further submits that Charanjit Singh and one Hardeep Singh were running cold store and in June, 2016, Paramjit Singh became partner and invested Rs.10,00,000/-, however, the business went into losses and complainant was paid an amount of Rs. 3,00,000/- and he was demanding the balance amount of Rs.7,00,000/-.

Learned State Counsel submits that complainant stands cheated of Rs.38,00,000/- under the garb of selling the land. It is further submitted that the police has exonerated Paramjit Kaur wife of Gurcharan Singh and Harman Kaur wife of Charanjit Singh.

Learned State Counsel further submits that petitioners and their father Pritam Singh are involved in number of cases/FIRs, the details of which are given in order dated 22.12.2020 passed by the Additional Sessions Judge, wherein the anticipatory bail application of Pritam Singh was dismissed. The operative part of the order reads as under:

“7. As per enquiry conducted by Economic Offence Wing, all the accused, after hatching a criminal conspiracy cheated the complainant Avtar Singh and his son Paramjit Singh of 38 Lacs , in the garb of □ purchasing land for them at a cheaper rate . No role of Paramjit Kaur wife of Gurcharan Singh and Harman Kaur wife of Charanjit Singh was however found in the

said cheating by the enquiry officer . It was further found that 7 FIRs against applicant/accused Pritam Singh , 3 FIRs against applicant/accused Charanjit Singh and 1 FIR against applicant/accused Gurcharan Singh stand registered in different police stations. Further more, the claim of the complainant of having paid the amount to the accused, as detailed in the complaint, was found fortified from the statements of their bank accounts and a CD, allegedly containing their conversation regarding the payment of the amount. Transcription of the said conversation between Paramjit Singh son of Complainant and Charanjit Singh (applicant/accused) is also available on the police file, which also prima facie supports the version of the complainant. No amount has been recovered from the applicants/accused. Their custodial interrogation is required for effecting recovery of amount. So, considering the totality of facts especially of cheating the complainant and his son of a big amount of 38 Lacs by the applicants/accused , they are found not entitled to the relief of anticipatory bail. As such, bail application is dismissed. File be consigned to the Record Room.”

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the serious allegations of cheating against the petitioners as well as the fact that they are involved in number of other FIRs, no grounds are made out to grant them concession of anticipatory bail.

Accordingly, the present petition is dismissed.

11.01.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No