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

**CRM-M-2120-2020
Date of decision-12.08.2021**

BALWINDER SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nitin Kaushal, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.108 dated 29.07.2019 under Sections 420 & 120-B Indian Penal Code, 1860, registered at Police Station Navi Baradari Jalandhar, District Jalandhar, Punjab. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has argued that as per the allegations, the plot in question allotted by Jalandhar Co-operative Housing Building Society on 26.05.1997 to Sudarshna Rani (mother of the complainant) remained in her possession till 27.11.2014, when she died. He submits that as per the contents of the FIR, Satish Chopra, Secretary of the society executed general power of attorney dated 24.06.2006 in favour of the

petitioner and the petitioner had further appointed Ajit Singh as special power of attorney to sell the plot initially allotted to the mother of the complainant. According to him, special power of attorney Ajit Singh sold the plot through sale deed dated 21.09.2006 in favour of the Ruksana Khatoon and Mohd. Naseem. He has argued that the petitioner is neither the beneficiary of the said transaction nor any wrongful gain has been made by him. As the entire case of the prosecution is based upon a documentary material, therefore, the custodial interrogation of the petitioner may not be necessary. He further submits that pursuant to the order dated 20.01.2020, the petitioner has already joined the investigation.

Learned State counsel who is assisted by ASI Manohar Lal does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 20.01.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

12.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No