

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/08/13 19:47
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CRM-M-27175-2021 (O/M)

Date of decision : 12.8.2021

Satnam Singh

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Puja Chopra, Advocate
for petitioner.
Ms. Bhavna Gupta, DAG Punjab.
Mr. Arihant Jain, Advocate
for complainant.
(Through Video Conferencing)

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 57, dated 19.4.2018 registered under Sections 419, 420, 465, 467, 468, 471, 120 B IPC and under Section 82 of Registration Act, 1977 at Police Station Urban Estate, District Patiala.

FIR was registered on the statements of Manoj Kumar and Munni Devi in which Manoj Kumar stated that he had purchased a plot measuring 162 sq. yds. from Ram Ranjan Singh for an amount of Rs. 1360800/-. He further stated that Ram Ranjan Singh had purchased said plot from Balwinder Singh and Davinder Singh. It is further stated that Balwinder Singh and Davinder Singh were attorney of Kanwaljit Singh and Amarjit Singh. On 15.12.2017, when complainant was raising wall, then some persons came there stating that said plot belongs to them. Kanwaljit Singh and Amarjit Singh threatened to demolish the entire construction raised by complainant. It was requested that action be taken against Amarjit Singh and Kanwaljit Singh for trespassing into house of complainant.

On the basis of aforesaid complaint, an inquiry was conducted. During inquiry, it has come out that petitioner impersonated as Amarjit Singh and his co accused Sukhwinder Singh impersonated as Kanwaljit Singh and thereby got executed power of attorney purportedly on behalf of Amarjit Singh and Kanwaljit Singh (original owners of plot) in favour of Balwinder Singh and Davinder Singh. On the basis of forged power of attorney, Balwinder Singh and Davinder Singh sold the plot to Ram Ranjan Singh who further sold it to complainants Manoj Kumar and Munni Devi.

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It has come out during investigation that petitioner was paid an amount of Rs. 50000/- for impersonating as Amarjit Singh.

Learned counsel for petitioner has argued that petitioner is not named in FIR. His name has only surfaced in the disclosure statement during investigation. She further stated that power of attorney has already been taken into possession. No recovery is to be effected from petitioner. The investigation qua Balwinder Singh and Davinder Singh is complete and challan has been filed. They were arrested and have been released on bail.

The allegations against petitioner are serious. Petitioner and his co accused Sukhwinder Singh are alleged to have impersonated original owners of plot Amarjit Singh and Kanwaljit Singh and got prepared a forged power of attorney in favour of Balwinder Singh and Davinder Singh, on the basis whereof the plot was sold to Ram Ranjan Singh and Ram Ranjan Singh further sold it to Manoj Kumar and Munni Devi. The complainants have purchased said plot for Rs. 3300000/-. They have been defrauded of that amount.

Considering the seriousness of allegations, no ground is made for grant of anticipatory bail to petitioner.

Dismissed.

(HARINDER SINGH SIDHU)
JUDGE

12.8.2021

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No