

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

CRM-M-28747-2021
Date of decision: 23.09.2021

Bhagwant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.98 dated 06.07.2021 registered under Sections 406, 420 and 120-B of the Indian Penal Code, 1860 at Police Station Dakhan, District Ludhiana (Rural).

The operative part of the order dated 26.07.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned Counsel for the petitioner has submitted that the petitioner, who was the Sarpanch of Village Raqba, has been falsely implicated in the present case regarding fraudulent execution of three sale deeds. It has been alleged that the petitioner along with other coaccused persons had approached the complainant for getting her affidavit executed at the office of Sub-Registrar with

regard to a compromise effected and fraudulently got executed three sale deeds in favour of Tajinder Singh, Jagjit Kumar and Nirbai Singh from complainant-Paramjit Kaur as power of attorney of her brother-Joginder Singh. The petitioner was not involved in the alleged transactions in any manner. The petitioner is also not the beneficiary of any of the transactions. The petitioner was not present at the time of registration and was not attesting witness to any of the sale deeds. The case is mainly based on documentary evidence. The petitioner is ready to join the investigation and his custodial interrogation is not required in the matter.

Notice of motion.

Pursuant to supply of advance copy, Mr. P.S. Walia, Asstt. AG, Punjab has appeared and accepted notice on behalf of the respondent-State.

Mr. Gursimran Singh, Advocate has appeared on behalf of the complainant and undertakes to file his power of attorney in the Registry.

Learned State Counsel and learned Counsel for the complainant have submitted that the petitioner cheated the complainant and fraudulently got the sale deeds executed. No amount as claimed in the sale deeds was transferred in the account of the complainant. Custodial interrogation of the petitioner will be necessary for ascertaining the modus operandi and material facts of the case. However, learned State Counsel and learned Counsel for the complainant seek time to file detailed replies.

Adjourned to 23.09.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 26.07.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 26.07.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.09.2021
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No