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

(Through Video-conferencing)

**CRM No.23439 of 2021 in/and
CRM-M No.24823 of 2019
Date of Decision: 06.08.2021**

RANBIR SINGH

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Dr. Deepak Jindal, Advocate
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

CRM No.23439 of 2021

For the reasons mentioned in the application, the same is allowed. Accompanying documents i.e. Annexures P-2 to P-4 are taken on record, subject to all just exceptions.

Main case

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.530 dated 25.10.2018 registered under Sections 419, 420, 467, 468, 471, 120-B IPC of 1860 at Police Station Sector 5, Panchkula, Haryana.

On 17.01.2020 following order was passed by the Co-ordinate Bench of this Court:-

“Learned counsel for the petitioner has submitted that although he is named in the FIR but no role has been attributed to him. He states that he was only a witness in the GPA which was executed by impersonating one Manjeet Singh who had earlier sold the land to the complainant- Sukhdev Singh. He has further submitted that he is not even the beneficiary of the entire deal and it was in the good faith that he had witnessed in it. He further states that the person who had executed his GPA was identified by another witness namely Mr. Mukhram, who was the Nambardar of the village. He further submits that he rather intends to cooperate with the police and prays for grant of interim bail by this Court. The petitioner has also undertakes to join the investigation and cooperate with the police.

Notice of motion for 25.03.2020.

In the event of arrest, the petitioner shall be released on anticipatory bail subject to the furnishing personal bond/surety bond to the satisfaction of Arresting/Investing Officer. The petitioner shall abide by all the conditions as provided under Section 438(2) of the Code of Criminal Procedure with a further condition that the petitioner shall not leave the country without prior permission of the Court.

(JASGURPREET SINGH PURI)
JUDGE

17.01.2020
Parveen Sharma”

The allegations are that the house of the complainant- Sukhdev Singh was sold by one Amit Kumar in favour of his brother-in-law Umesh Singla on the basis of forged General Power of Attorney. The said house was purchased by the complainant from one Manjeet Singh. The forged General

Power of Attorney was of Manjeet Singh which was allegedly obtained by way of impersonating Manjeet Singh despite his death on 29.08.2005.

On the basis of aforesaid fraudulent sale, Umesh Singla availed two loans from the LIC Housing Finance Limited in collusion with officials of the Finance Company. He availed loans of Rs.19 lakhs and Rs.9 lakhs from the aforesaid Finance Company. An amount of Rs.19 lakhs was availed against the property whereas loan of Rs.9 lakhs was availed for construction purposes.

In view of communication dated 26.10.2020 loan account of Rs.19 lakhs stands closed after repayment by Umesh Singla, whereas loan of Rs.9 lakhs is still unpaid. An amount of Rs.19 lakhs was credited in the account of Amit Kumar and he has already repaid the same as a measure of one time settlement with the Finance Company which is evident from the letter dated 22.09.2020 issued by the LIC Housing Finance Limited. Now Umesh Singla has been arrested. The matter is still under investigation qua the petitioner and qua other co-accused the challan has been presented. The petitioner stood as witness in the forged General Power of Attorney.

Learned State counsel on instructions from SI Zile

Singh submitted that in compliance of order dated 17.01.2020 the petitioner has joined the investigation and is no more required for any further investigation of the case.

In view of statement made by learned State counsel, interim order dated 17.01.2020 is made absolute. However, petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

August 06, 2021

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No