

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****208****CRM-M-32615-2020 (O&M)****Date of Decision: 19.01.2021**

Sarabjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sukhjot Singh, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Ravinder Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.0330 dated 25.08.2020 at Police Station Zirakhpur, District SAS Nagar, under Sections 420, 465, 467, 468, 471, 120-B IPC.
2. The FIR was lodged at the instance of Raghubir Singh, wherein it is alleged that Gurpal Singh and his wife Vipin Gurpal are in possession of land situated in Singhpura, Tehsil Derabassi and that their land has been sold vide sale deed dated 14.10.2011 to the petitioner on the basis of a forged power of attorney in favour of Saravpal Singh.
3. Learned counsel for the petitioner has submitted that the complainant is part of a land *Mafia* and indulges in filing such kind of complaints. It has been submitted that the complainant Raghubir

Singh cannot be said to be aggrieved in any manner by the sale deed in question or by the execution of power of attorney as he is neither the owner nor was associated with any transaction in respect of the same. It has been submitted that although the owners had at one point of time moved a complaint, but the same was filed. It has further been submitted that the complainant had also submitted identical complaints against the petitioner, which were duly enquired into by the police and upon enquiry the same were also 'filed'. Learned counsel for the petitioner has drawn attention of this Court to letter dated 22.03.2016 (Annexure P-4), wherein it was recommended by the Superintendent of Police (Investigation) that the complaint be 'filed'.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, the matter needs to be thoroughly investigated and as such, no case for grant of bail is made out. Learned State counsel, however, could not dispute that the matter had earlier been enquired into by the police and that the complaints filed on earlier occasions have been filed.
5. Having regard to the aforesaid position, wherein the complainant cannot be said to be aggrieved by the alleged sale deed or power of attorney and the fact that the matter had been enquired into by the police on an earlier occasions and the case, in any case, is based on documentary evidence, this Court finds that it is not a case where custodial interrogation of the petitioner is required. The petition, as such, is accepted and the petitioner, in the event of arrest, is ordered to be released on interim bail subject to his furnishing

personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

19.01.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**