

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

**CRM-M No.33033 of 2020 (O&M)
Date of Decision.08.02.2021
(Heard through VC)**

Firoz Khan

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. K.S. Dadwal, Advocate
for the petitioners.

Ms. Rashmi Attri, DAG, Punjab.

Mr. GPS Bal, Advocate
for the complainant.

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JAISHREE THAKUR J. (ORAL)

CRM No.2852 of 2021

Application is allowed as prayed for.

Additional affidavit is taken on record, subject to all just exceptions.

CRM-M No.33033 of 2020

This is a petition that has been filed for grant of regular bail to the petitioner in the case FIR No.77 dated 10.09.2020 under Sections 420, 465, 468, 471, 115, 506, 120-B IPC (Section 408 IPC added later on) registered at Police Station Naya Gaon, District SAS Nagar, who is in custody since 14.09.2020.

Counsel for the petitioner *inter alia* would contend that the entire dispute is of a civil nature and the FIR has been registered to harass him. It is further argued that son of the complainant is a Police Officer and

his office is being misused to harass him.

Learned counsel for the petitioner would also argue that in fact the petitioner herein was working alongside the complainant and was selling/purchasing plots at his behest. Because of the dispute arose on account of accounting, a compromise was arrived at between the parties, which would be reflected at Annexure P-2, in which it had been agreed that an amount of ₹18 lakhs would be returned by the petitioner along with land, which was registered in the name of his mother. The land already stands transferred in the name of the complainant and an amount of ₹10 lakhs has been given and only a balance of ₹8 lakhs remains. It is also submitted that as per the accounts made available, an amount of ₹1,68,00,000/- stands transferred to the family members of the complainant in Canada from the account of the petitioner.

Learned counsel appearing on behalf of the respondent-complainant argues that the petitioner herein was causing a huge financial irregularity and the amounts were transferred in the name of Ajit Pal Brar and Tajinder Brar, who were not related to the complainant. It is also argued that there is a great apprehension that the petitioner herein in connivance with a known gangster would eliminate the complainant and that is why a separate FIR has already been registered against him.

Learned counsel for the respondent-State would submit that there are financial irregularities that have been committed by the petitioner herein, who has made an attempt to dupe the complainant, who is 83 years old.

I have heard learned counsel for the parties and have perused

the paper book.

In view of the allegations that have been raised and on account of the fact that the matter is still pending for framing of charges, the instant petition is disposed of by giving a direction to the trial Court to frame charges based on the challan that has been filed, if they are made out and thereafter to make an endeavour to have the statement of the complainant recorded as expeditiously as possible and preferably within a period of two weeks.

(JAISHREE THAKUR)
JUDGE

February 08, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No