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

**CRM-M-40178-2020
Date of Decision: 06.04.2021**

Gurpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. M.K. Rampal, Advocate,
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed under Section 438 of the Code of Criminal Procedure by the petitioner, seeking anticipatory bail in case FIR No.277, dated 31.08.2020, under Sections 406, 420, 506 and 120-B of the IPC, registered at Police Station Derabassi.

2. The FIR was drawn up on the basis of the complaint lodged by two persons, namely Kapil Batra and Vikas Kumar, to the effect that the petitioner had received money from them by selling the same car to both of them. But, he did not deliver custody of the car to either of them nor returned the money taken by him as the Sale Price.

3. Ld. Counsel for the petitioner has argued that the allegations in the FIR are false and preposterous. It has been further submitted in this regard that the petitioner had got some money financed from the

complainant Kapil Batra a couple of times, whereby a few blank papers were got signed from him as security, and even though the said loans stood repaid, the blank documents were illegally retained and are now being misused for illegal gains by the complainant.

4. It may be mentioned that the documents purportedly issued by the petitioner were submitted by the complainants along with their complaint to the Police Authorities.

5. At this stage, it is not for this Court to speculate the circumstances under which custody of the signed documents was delivered to the complainants or whether those were actually blank signed papers at the relevant time as claimed by the petitioner.

6. Suffice it to say, the documents in question for the purpose of initial investigation are presumed to be reflective of the contents displayed in the same, and whether or not the same were forged or fabricated at a later stage can only be decided after detailed investigation, for which custodial interrogation of the petitioner would certainly be required.

7. For the aforesaid reasons, this Court is in agreement with the impugned order dated 14.10.2020 passed by the Ld. Additional Sessions Judge, SAS Nagar (Annexure P-1), vide which the petitioner's similar prayer for grant of anticipatory bail was disallowed.

8. No merits.

9. Dismissed.

06.04.2021

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No