

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

(Heard through VC)

CRM-M-714 of 2021 (O&M)
Date of Decision: January 08, 2021

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manjinder Singh Bhullar, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.131 dated 12.11.2020, registered under Sections 195, 420, 467, 468, 471, 447, 448, 427, 188, 120-B of Indian Penal Code at Police Station City Zira, District Ferozepur.

2. Counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the present case, as the allegations as set out in the FIR are not sustainable, as the petitioner herein has not committed any fraud with the complainant. It is submitted that firm of the petitioner namely Dawat Punjab Dhaba is separate from the firm of the complainant and his brother Harpreet Singh.

3. Notice of motion.

4. At this stage, Ms. Bhavna Gupta, DAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State. Similarly, Mr. Rahul Arora, Advocate accepts notice on behalf of the complainant.

5. Counsel appearing on behalf of the respondent-State, assisted by ASI Harnek Singh as well as counsel appearing on behalf of the complainant oppose the grant of anticipatory bail to the petitioner. It is submitted that one restaurant by the name of Dawat Restaurant was run by the brother of the petitioner, namely Harpreet Singh, and the complainant herein in partnership. It is contended that after a dispute arose between them, the petitioner herein along with other co-accused Harpreet Singh and their father, with the mala fide intentions got registered two more firms on the same property on the basis of false and forged documents, whereas the said property was already part of the business premises of Harpreet Singh and the complainant herein. It is argued that the petitioner along with his co-accused are trying to grab the entire firm of Dawat Restaurant and throw the complainant out.

6. I have heard counsel for the parties and have gone through the pleadings of the case as well.

7. Admittedly, brother of the petitioner herein, namely Harpreet Singh and the complainant were running Dawat Restaurant as a partnership firm. As per allegations, in order to cheat the complainant, the petitioner along with other co-accused got registered two more firms over the same land on the basis of fake documents, where the business of Dawat

Restaurant was running. There is also an agreement to sell executed between the complainant and Darbara Singh, who is the owner of the land, where the partnership business of Dawat Restaurant was being run, as per which agreement, the sale deed was to be executed in the month of November, 2020. There are allegations that neither Darbara Singh (father of the petitioner herein as well as Harpreet Singh) has executed the sale deed in terms of the agreement to sell in favour of the complainant nor the share of business of Dawat Restaurant was given to the complainant. It appears that the dispute between the petitioner, his brother Harpreet Singh and their father Darbara Singh on one side and the complainant herein on the other side, requires thorough investigation. Under these circumstances, once custodial interrogation of the petitioner is required for a result oriented investigation, this court is not inclined to grant anticipatory bail to the petitioner.

8. In view of the above, the instant petition is hereby dismissed.

January 08, 2021

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No