

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

CRM-M-2018-2022(O&M)

Date of decision: 14.03.2022

Kartar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Abhishek Jindal, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 170 dated 28.12.2016, registered under Sections 420 and 120-B IPC, at Police Station Sadar Ludhiana, Police Commissionerate Ludhiana.

Learned counsel for the petitioner states that the complainant has got the above noted FIR registered with the allegations that he had been sold the plot by the petitioner, which was the ownership of one Dev Raj Arora and that the petitioner along with co-accused had cheated him of the money and had played a fraud upon him. He further submits that the present FIR has been got lodged by the complainant with a motive to wriggle out of the offences alleged against him in FIR No. 164 dated 23.09.2015 registered by said Dev Raj Arora.

Yet further, learned counsel for the petitioner submits that as per the allegations, Harjinder Singh gave copy of the agreement executed by the

petitioner to the complainant, but at no stage of time, the petitioner had handed over such said agreement to Harjinder Singh.

I have heard the learned counsel for the petitioner and have also gone through the paper-book.

There are specific allegation against the petitioner and he has actively participated in the crime and cheated the complainant. The petitioner cannot take benefit of the FIR got registered by Dev Raj Arora against the complainant. The petitioner has not denied receipt of money and execution of the sale deed, wherein the presence of the petitioner besides witness Jagsir Singh was recorded.

Considering the very nature of the allegations contained in the FIR, the custodial interrogation of the petitioner is a must. Hence, the petitioner does not deserve the concession of anticipatory bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

14.03.2022

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No