

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

I. **CRM-M-11432-2022 (O&M)**
Date of decision: April 22, 2022

Gurinder Singh		Petitioner
	Versus	
State of Punjab		Respondent

II. **CRM-M-14574-2022 (O&M)**

Gurinder Singh		Petitioner
	Versus	
State of Punjab		Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. I.S. Luthra, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J.

By passing this order, this Court intends to decide the
above mentioned two petitions.

Prayer in petition, i.e. CRM-M-11432-2022 is for grant of
anticipatory bail to the petitioner in FIR No.111 dated 11.7.2016
under Sections 419, 420, 465, 467, 468, 471, 120-B IPC, registered
at Police Station Daba, District Ludhiana and prayer in petition, i.e.
CRM-M-14574-2022 is for setting aside the order dated 25.3.2021

passed by the Judicial Magistrate 1st Class, Ludhiana, whereby the petitioner has been declared a proclaimed offender.

Brief facts of the case are that the FIR was got registered against the petitioner, Bhag Singh, Sunil Kumar, Rajinder Singh Gill Numberdar, Baldev Singh, Jasbir Singh, Manjit Singh, Nummberdar, Satpal Singh (fake name) and Lakhvir Singh (fake name) on a complaint given by Lakhvir Singh and Satpal Singh.

The allegations in the FIR are that the complainants purchased a plot measuring 200 sq. yards vide sale deed dated 19.5.1980 as per the Jamabandi for the year 1980-81 and the mutation was sanctioned in the name of the complainants. The complainants are residents of village City Jagraon and used to visit their property in Ludhiana. The complainants came to know that in place of Lakhvir Singh and Satpal Singh, the petitioner by preparing a false Power of Attorney placed an impostor person in place of the complainants by showing their address of village Daulatpur, though they are residents of different places and got the Power of Attorney prepared in the months of August and October, 2014.

Later on, the petitioner in conspiracy with other persons transferred the said property to Bhag Singh and Sunil Kumar. While registration of the said document No.8383 on 9.2.2015, the

petitioner gave his mobile No.75085-00913. Similarly, Bhag Singh and Sunil Kumar also gave their mobile numbers.

Counsel for the petitioner has submitted that petitioner-Gurinder Singh purchased a plot from one Baldev Singh, who was holding an agreement to sell from aforesaid Lakhvir Singh and Satpal Singh. Baldev Singh was in possession of the property which was handed over to the petitioner at the time of the agreement and the petitioner is falsely implicated in the present case though he has purchased the property for consideration.

Reply by way of affidavit of Assistant Commissioner of Police, Special Branch, Ludhiana filed in the Court is taken on record.

As per the reply, after verification of the contents of the FIR, it is stated that during investigation, Bhag Singh, Sunil Kumar and Rajinder Singh were found to be innocent and the complainants has made a compromise with Manjit Singh, who had no role, whereas the petitioner and his co-accused Baldev Singh and Jaswinder Singh were declared proclaimed offenders on 25.3.2021. The co-accused are yet to be arrested.

It is further stated that on verification it is found that the petitioner and his accomplices, in conspiracy with each other, got GPA No.288 dated 8.8.2014 in his favour by impersonating Satpal Singh and another GPA No.389 dated 1.10.2014 in his favour by

impersonating Lakhvir Singh (the two original complainants). Thereafter, the property was sold to Bhag Singh and Sunil Kumar though as per the GPA it is verified that some persons are standing in place of complainants and photograph of the petitioner was found affixed on the GPA, which shows that the petitioner is the mastermind of the entire episode in usurping the property of the complainants by preparing fake General Power of Attorney. It is further stated that after obtaining the legal opinion of the DA (Legal), Ludhiana, the FIR was registered.

After hearing learned counsel for the parties, I find no ground either to grant the concession of anticipatory bail to the petitioner or set aside the order dated 25.3.2021 passed by the Judicial Magistrate 1st Class, Ludhiana.

Accordingly, the above mentioned petitions, i.e. CRM-M-11432-2022 for anticipatory bail and CRM-M-14574- 2022 for setting aside the order declaring the petitioner as proclaimed offender, are dismissed.

April 22, 2022
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No