

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

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**CRM-M No.34126 of 2022  
Date of Decision: 11.10.2022**

Jagdish Singh alias DC

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present :- Mr. Navinder Jit Singh Dandiwal, Advocate  
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab  
for the respondent-State.

**MEENAKSHI I. MEHTA, J. (Oral)**

Apprehending his arrest in the criminal case arisen out of the FIR bearing No.59 dated 23.06.2022 registered at Police Station Sadar Moga, District Moga, under Sections 419, 420, 465, 467, 468, 471 & 120-B IPC, the petitioner has preferred this petition for seeking the relief of anticipatory/pre-arrest bail.

2. Bereft of unnecessary details, the allegations, as levelled by informant-Jagtar Singh in the subject FIR, are that the petitioner and his co-accused received an amount of Rs.05 lac from him while executing an agreement to sell the land in his favour and later-on, he (informant) came to know that the said accused had produced the forged documents and had presented the impersonators for this purpose, so as to defraud him.

3. Status-report on behalf of the respondent-State {by way of the affidavit of the Deputy Superintendent of Police (City) Moga, District Moga} has already been filed.

4. I have heard learned counsel for the petitioner as well as learned State counsel in the instant petition and have also perused the file carefully.

5. Learned counsel for the petitioner contends that the petitioner is not the beneficiary in the alleged transaction and he has, rather, been falsely implicated in the present case and in these circumstances, he deserves the relief as prayed for in this petition.

6. Per-contra, learned State counsel argues that the afore-said amount of Rs.05 lac had been paid by the informant-complainant to the petitioner and he (petitioner) is a habitual offender as he has committed fraud with several other persons in the same manner and it being so, this petition be dismissed.

7. As per the allegations levelled by the informant-complainant in the FIR, the petitioner and his co-accused had informed him that the land in question was intended to be sold and they had also shown the same to him and he had paid the amount of Rs.05 lac at the time of the execution of the agreement qua the sale of the said land. It has also been specifically deposed in para No.5 of the status-report that the said amount had been paid to the petitioner and that he (petitioner) is involved in five (05) more criminal cases of the similar nature. The factum as to whether the petitioner was a beneficiary in the alleged transaction or not, can and shall be looked

into and adjudicated upon by the trial Court at the appropriate stage after appreciating and evaluating the evidence that may be led on the record during the course of the trial and the same cannot be ascertained at this stage while deciding the present bail petition.

8. Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory/pre-arrest bail. Resultantly, the petition in hand stands dismissed accordingly.

9. However, it is clarified that nothing contained here-in-before shall be construed to be an expression of the opinion of this Court on the merits of the case.

**11.10.2022**

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**(MEENAKSHI I. MEHTA)**  
**JUDGE**

*Whether speaking/reasoned:*

*Yes*

*Whether Reportable:*

*No*