

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-13370-2023 (O&M)
Reserved on: 02.08.2023
Pronounced on: 19.10.2023

Rupinder Singh

... Petitioner(s)

Versus

State of Punjab

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Raghav Gulati, Advocate,
Ms. Sandhya Gaur, Advocate and
Mr. Varun Sharma, Advocate
for the petitioner(s).

Mr. Aman Pal, Addl.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
79	16.07.2020	City Zira, District Ferozepur	406, 420, 467, 468, 471, 120-B IPC and Section 384 IPC (added later on).

The present petition was being listed along with so many other connected matters and the same were being adjourned on one pretext or the other and as such, this Court decided to keep on hearing and reserving the every petition whenever it was possible. As such, although these petitions were heard on different dates, but the judgments therein are being pronounced simultaneously.

1. The petitioner, apprehending arrest in the FIR captioned above, has come up before this Court under Section 438 CrPC seeking anticipatory bail by filing the present petition dated 13.3.2023.

2. In paragraph 15 of the bail petition, the accused declares that he has no criminal antecedents.

3. Vide order dated 22.3.2023, this Court had stayed the petitioner's arrest subject to his declaring assets. After that, the petitioner was also directed to join investigation vide order dated 13.4.2023. After that, vide order dated 22.5.2023, the interim anticipatory bail was granted to the petitioner subject to certain conditions mentioned therein, which is continuing as of date. When this matter was heard on 2.8.2023, petitioner's counsel made a statement that they have already returned Rs.2.32 crore and in case, some more amount is payable, he has instructions to state that the petitioner shall be personally liable, and he shall himself return the said money.

4. Detailed status report by way of affidavit of DySP, Vigilance Bureau, SAS Nagar was produced on behalf of the State, paragraphs 20 and 21 of the same reads as under:-

"20. That the allegations against the accused are that PACL had paid advance an amount of Rs2.5 Crore to Petra Estates Limited against the sale of agriculture land in 2011 but the sale of land was not completed and the amount was lying payable in the books of accounts of the company. Subsequently, petitioner in the capacity of Director of M/s Petra Estates has executed a sale agreement on 05.12.2016 with Jeevan Dass Dogra son of Anup Singh resident of House No74, Sector-8A Chandigarh regarding land measuring 2 Bigha 2 Biswa in Village Chhat, Sub-Tehsil Zirakpur District SAS Nagar and Rs 50 Lakhs were paid in advance as token amount. At the time of execution of this agreement accused petitioner Rupinder Singh his relative Kawaljeet Singh Toor and Harjeet Kaur wife of Kawaljeet Singh Toor were present from seller side. Moreover, broker namely Bhupinder Singh son of Sadhu Singh stated that he did not put his signatures on the agreement, neither he was present at the time of execution of the agreement.

21. That the present new SIT of Vigilance Bureau Punjab is still investigating the present FIR as the record of the same was received on 06.06.2023 and the record pertaining to the said FIR is voluminous, complex and of highly technical nature and the present SIT is minutely examining the role of each and every accused in this case and the evidence against the accused."

5. The Petitioner's counsel stated that they have already returned Rs.2.32 crores. Since the instant matter pertains to the year 2011 and it relates to advance payment, as such, the petitioner's case is entirely different from other accused.

6. Given the voluntary statement made by the petitioner's counsel on 2.8.2023, by 15.10.2023, the petitioner(s) shall handover their two notarized affidavits, and also two notarized affidavits of their spouses(s) if any, for Investigator, mentioning the complete following details, held either individually or jointly, and cash-in-hand. ***If the petitioner fails to comply with this condition, then on this ground alone the bail might be***

canceled, and the State shall file the an application for cancellation of bail. The petitioner to declare his all assets in the following formats in Rupees (INR):

Total value of all net worth as on 31 Mar 2023	
Current total value of all net worth	
Cash in hand as on date (Indian Rupee)	
Cash in hand as on date (All other currencies)	
Details of all bank accounts in India including in Post Offices	
Details of all bank accounts outside India	
Current amount in cash, savings, checking, deposit accounts and crypto currency	
Total Value of equity shares as on 31 Mar 2023	
Total Value of mutual funds as on 31 Mar 2023	
Current total Value of equity shares, mutual funds, & debentures. (Write details of every instrument)	
Total Value of recurring deposit, fixed deposits, bonds, pension plans, GPF, PPF, NPS, & annuity insurance policies as on 31 Mar 2023 (Write details of every instrument)	
Current total Value of recurring deposit, fixed deposits, bonds, pension plans, & annuity insurance policies (Write details of every instrument)	
Current total market value of all jewellery, sovereign metals, artefacts, antiques etc.	
Current total market value of property including buildings, land etc. its area and location	
Total income in FY 2022-23 including farms, agriculture, horticulture, wages, salaries, commissions, interests, royalties, rent, income from business, any other income, gifts received from other family members.	
Enter the details of vehicles owned or in possession	
Any other asset or income	
Total liabilities as on 31 March 2023 (Including loans)	
Current total liabilities (Including loans)	
Approximate expenditure during FY 2022-23	
Any other expenses	

7. The present petition is allowed and the interim order is made absolute subject to the petitioner’s declaring his assets by 15.11.2023, in the format mentioned above,

failing which the State shall be at liberty to file an application seeking cancellation of bail and on this ground alone, the bail shall be rejected.

(ANOOP CHITKARA)
JUDGE

October 19, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No