

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

CRM-M No.25170 of 2023
Date of decision: 1st June, 2023

Gajinderjeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jasdeep S. Gill, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

Mr. Rakesh Sobti, Advocate for the complainant.

MANJARI NEHRU KAUL, J.

The petitioner is seeking the concession of anticipatory bail in case bearing FIR No.67 dated 08.04.2023 for the offences under Sections 419, 420, 467, 468, 471, 120-B IPC registered at Police Station Civil Lines, Police Commissionerate Amritsar.

Learned counsel for the petitioner submits that admittedly the complainant as well as the petitioner were friends, and it was only on the asking of the complainant himself that the petitioner helped him to look for a plot of land. Thereafter, while searching for a suitable plot, the petitioner came into contact with the alleged seller Sanjeev Sharma for the first time, who in turn was introduced by the petitioner to the complainant. After being introduced, the complainant met Sanjeev Sharma continuously for three days, during which time all the relevant

documents pertaining to the plot in question were also shown to the complainant.

Learned counsel submits that role of the petitioner began and ended with just introducing the complainant with Sanjeev Sharma and there was nothing on record from which it could be even remotely inferred that the petitioner had ever received a penny out of the money given by the complainant to Sanjeev Sharma. Learned counsel has still further submitted that in fact the petitioner was also a victim of fraud and even otherwise, it was the complainant who was not vigilant enough, before paying the sale consideration qua the plot in question, as the least he could have done was to verify all the relevant documents of the plot in question, qua the ownership of Sanjeev Sharma. Learned counsel prays that the petitioner is willing to join investigation and cooperate with the investigating agency.

Per contra, learned State counsel assisted by Mr. Rakesh Sobti, Advocate appearing on behalf of the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite, by submitting that in fact the petitioner, who is a property dealer, is the mastermind behind the crime in question and had duped the complainant of a sum of ₹ 2.45 crores. It has been further submitted that at each and every step, right from the time when Sanjeev Sharma was introduced to the complainant, as the owner of the plot in question, and when all the financial transactions with respect to the plot in question took place, the petitioner had been present along with Sanjeev

Sharma. It has also been submitted that it was in the presence of the petitioner that a cheque of ₹ 1.00 crore was given to one Mohit Mehta, Power of Attorney holder of abovesaid Sanjeev Sharma. It has been further submitted that there was documentary evidence in the form of photographs/CCTV footage wherein the petitioner could be seen accompanying Mohit Mehta to the Bank for the withdrawal of ₹ 10.00 lacs after ₹ 1.00 crore had been deposited in Mohit Mehta's account by the complainant.

Learned State counsel, on instructions, has apprised the Court that the petitioner is involved in another criminal case registered under Sections 384, 387, 506, 34 IPC and Section 25 of the Arms Act. Learned State counsel has urged that custodial interrogation of the petitioner would be required in view of his complicity in the crime in question.

I have heard learned counsel for the parties and perused the relevant material on record.

Prima facie, there are serious and specific allegations leveled against the petitioner of having orchestrated and actively participated in the crime in question, as a result of which, the complainant was duped of a huge amount in the sum of ₹ 2.45 crores. This Court also cannot ignore the factum of petitioner's involvement in another criminal case under IPC.

In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of

anticipatory bail to the petitioner in the instant case. The petition as such stands dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 1, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No