

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

CRM-M-45470-2022

Date of Decision:-**17.02.2023**

DARBARA SINGH AND ANR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Shubham Goyal, Advocate
for the petitioners.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail in case having FIR No.125 dated 20.08.2022 registered under Sections 420, 427, 447, 379, 34 IPC at Police Station Sadar Nakodar, District Jalandhar.

The allegations in nut-shell are that petitioners, who are father and son posed themselves to be the owner of land which actually belongs to Punjab Wakf Board and they entered into an agreement to sell with different persons and took earnest money from them and when the proposed vendees came to know that the land is not owned by the petitioner, they asked for

return of their money but the petitioners refused to do so and then the matter was reported to the police and FIR was registered.

The counsel for the petitioners submits that no such agreement was executed by the petitioner in favour of any third person. The counsel for the petitioner further submits that no money was ever received by the petitioner from the complainant or any other alleged victim and that the petitioners are ready to join investigation by the police.

The present petition is resisted by the State counsel as well as by the counsel for the complainant.

The counsel for the complainant while referring to 4 agreements to sell executed by the petitioners, submits that petitioners took ₹2 lac from Jugal Sood, ₹54,000/- from complainant Ram Murti, ₹74,000/- from Satnam Singh and ₹50,000/- from Gurdev Singh and they also received money from some other persons while projecting themselves to be the owner of land which actually belongs to Punjab Wakf Board. The counsel for the complainant further submits that in this manner, both the petitioners collected huge amount from different persons, so prayer is made that the present petition be dismissed.

I have heard the counsel for the parties.

From the perusal of the copies of aforesaid agreements to sell, which are taken on record, it is apparent that the petitioners while proclaiming themselves to be owner of land belonging to Punjab Wakf Board entered into agreement to sell the same to different persons and received huge amount from them by way of earnest money.

In the light of the above, I am of the view that the custodial interrogation of the petitioners is necessary for the proper investigation and to go to the root of the case. Consequently, the present petition is hereby dismissed.

However observations made hereinabove are not to be construed as opinion on the merits of the main case.

(KARAMJIT SINGH)
JUDGE

17.02.2023
Gaurav Sorot

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