



**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-14735-2024 (O&M)  
Date of Decision:-31.7.2024

Harwinder Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. P.K.S. Phoolka, Advocate,  
for the petitioner.

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**GURVINDER SINGH GILL, J.(Oral)**

1. The petitioner assails order dated 18.8.2023 (Annexure P-1) passed by learned Judicial Magistrate 1<sup>st</sup> Class, Bathinda vide which he has been ordered to be summoned to face trial alongwith co-accused with respect to offences under Sections 420, 467, 468, 471 and 120-B of Indian Penal Code. The petitioner also assails order dated 2.1.2024 (Annexure P-2) passed by learned Additional Sessions Judge, Bathinda vide which his revision petition challenging the aforesaid order dated 18.8.2023, has been declined.
2. The FIR was lodged at the instance of Balwinder Singh alleging therein that Rajwinder Singh, Managing Director of 'M/s A-One Farming India Limited' and others had duped him of an amount of Rs.1 crore and had also usurped his property to the extent of 6 acres of land. It is alleged that a shell company by the name 'Truthway Agro India Private Limited' shown to be engaged in



live stock rearing was floated by the accused and the accused while holding out false assurances of giving enhanced interest got executed two sale-deeds dated 21.7.2014 from the complainant in respect of his share of 6 acres of land situated in Village Bandi, Bathinda and instead of giving the actual sale consideration of Rs.1 crore issued FDRs by 'Truthway Agro India Private Limited' showing maturity of said FDRs on 15.7.2017 carrying an interest of Rs.1.40 lakhs per month for three years apart from issuing 23 cheques in the name of complainant's daughter Rubal Inder Kaur. It is alleged that while 4 of the cheques were honoured, but the remaining cheques were dishonoured.

3. Upon investigation, it transpired that Rajwinder Singh, Rinku Singh and Baggi Kaur had floated a bogus shell company under the name and style of 'Truthway Agro India Private Limited', whereas Narinder Singh, Jagpreet Kaur and Harwinder Singh floated a shell company under the name and style of 'M/s A-One Farming India Limited'. Although 'M/s A-One Farming India Limited' was shown to be engaged in cattle rearing, but no such business was found to be actually carried on. The sale-deeds in respect of land of complainant's father were executed in favour of 'Truthway Agro India Private Limited', which further gave the land in question on lease to Harwinder Singh i.e. the present petitioner. In other words, it is petitioner - Harwinder Singh, who turns out to be the actual beneficiary. The aforesaid transactions clearly show the well orchestrated conspiracy between all the accused by way of which they have clandestinely deprived the complainant of huge amount and property.
4. The Courts below particularly the Revisional Court has duly noticed all the material facts. The facts of the case particularly which surfaced during



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investigation clearly show the involvement of the petitioner. Under these circumstances, it is indeed appropriate that the petitioner be put to trial.

5. As such, this Court does not find any infirmity in the impugned orders and the same are hereby upheld. Finding no merit in the instant petition, the same is hereby dismissed.

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| <b>31.7.2024</b> |                            | <b>( Gurvinder Singh Gill )</b> |
| Pankaj           |                            | <b>Judge</b>                    |
|                  | Whether speaking /reasoned | Yes / No                        |
|                  | Whether Reportable         | Yes / No                        |