



CRM-M-25714-2024

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**216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-25714-2024
Decided on : 15.07.2024

Tehal Singh @ Tarinder Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. Ankit Kharbanda, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Mr. Amit Arora, Advocate
for the complainant.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner seeking concession of anticipatory bail in case FIR No.42 dated 18.04.2024 under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station NRI District Amritsar.

2. Learned counsel for the petitioner asserts that he has been falsely implicated in the present case. There is a delay of three days in lodging the FIR in question, which has been annexed as Annexure P-1, and the petitioner is not even alleged to be a witness to any of the three agreements to sell entered into by the complainant with a fake vendor. It has been further submitted that



the petitioner neither benefited from Rs.10 lakhs paid by the complainant nor was he involved in causing any wrongful loss to the complainant. It has further been submitted that the petitioner has been implicated only because he is the brother of co-accused Mahal Singh, and the case has been fabricated to harass and pressurise him. Learned counsel has maintained that the petitioner has no connection whatsoever with the agreements executed by the co-accused Mahal Singh and that he is not even involved in his brother's property dealing business as he runs a grocery shop. Still further, it has been prayed that since the challan has not been presented yet, there is no likelihood of the trial concluding soon. Therefore, the petitioner be extended the concession of bail as his further incarceration would serve no useful purpose.

3. Learned State counsel assisted by counsel for the complainant, at the outset, has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted that it was the petitioner, who introduced a fake vendor to the complainant leading to the execution of the alleged agreements to sell pertaining to the property in question. Additionally, it has been argued that the petitioner is a habitual offender, who is involved in multiple similar cases. Learned State counsel has vehemently thus, opposed the prayer and submitted that the custodial interrogation of the petitioner is required and there is a likelihood that in case he is



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granted anticipatory bail, he would abscond or attempt to intimidate or influence the witnesses.

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

5. *Prima facie*, the allegations levelled in the FIR in question indicate that the petitioner along with his brother i.e. co-accused defrauded the complainant of Rs.10 lakhs by presenting an impersonator as the owner of the property in question and subsequently, executing the agreements to sell, thereby causing wrongful losses to the complainant. Furthermore, the petitioner’s antecedents including his involvement in several criminal cases cannot be overlooked.

6. Keeping in view the stage of trial and serious allegations levelled against the petitioner, he does not deserve the extra-ordinary concession of anticipatory bail. Accordingly, the instant petition stands dismissed.

7. 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.

15.07.2024
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(MANJARI NEHRU KAUL)
JUDGE

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