



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.39942 of 2024
Date of decision: 25th September, 2024

Ranjit Singh @ Jeeta Morh @ Jeeta Mod
... Petitioner
Versus
State of Punjab & another
... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.
Mr. Navkiran Singh, Advocate for the complainant.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 482 of the BNSS in case FIR No.175 dated 10.08.2023 under Sections 406, 420 of the IPC registered at Police Station Division No.8, District Police Commissionerate Jalandhar.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in a matter that is entirely civil in nature. The core of the dispute revolves around an agreement to sell, wherein the petitioner had agreed to purchase a property from the complainant. Learned counsel for the petitioner asserts that the payment for the property had been duly made, and this fact is substantiated by the reflection of the payment in the bank account of one Avtar Singh Bains,

who was responsible for negotiating on behalf of the complainant party. In support of his submissions, learned counsel has drawn the attention of this Court to Annexure P-2.

3. It has been further argued that the allegations regarding the misuse of the General Power of Attorney (GPA) by the petitioner are meritless. The GPA had been properly executed by the complainant party and was duly registered with the office of the Sub-Registrar. To further corroborate the execution, photographs of both parties were affixed to confirm their presence and identify at the time of registration. Moreover, it has been emphasized by the learned counsel that a civil litigation between the parties is already pending, as both sides have filed civil suits against each other. Learned counsel for the petitioner thus, contends that a purely civil dispute has been deliberately twisted to give it a criminal colour with the sole intention of harassing the petitioner.

4. Additionally, it is submitted by the learned counsel that the case of the prosecution rests entirely on documentary evidence. Given the nature of the evidence, there is no possibility of tampering it by the petitioner, therefore, his custodial interrogation would not be necessitated. A prayer has therefore, been made for grant of the concession of anticipatory bail to the petitioner, as his custodial interrogation would not be required in the present case.

5. Per contra, learned State counsel assisted by the learned counsel for the complainant, have vehemently opposed the prayer and submissions made by the counsel opposite by drawing the attention of this Court to the allegations levelled in the FIR in question. Learned

counsel have argued that it is evident that the petitioner has committed a massive fraud upon the complainant party by inducing them to enter into an agreement to sell their property for ₹6.00 crores, all the while having no intention of paying the full amount. While the petitioner did initially pay ₹55.00 lacs, however, it has been asserted that thereafter, he failed to pay any further amount. Learned counsel for the parties have asserted that the fraudulent intent of the petitioner is evident from a forged document dated 27.02.2018, purportedly signed by Avtar Singh (since deceased), which falsely claims that the complainant party had received the full payment through Avtar Singh.

6. Moreover, it has been contended by the learned State counsel as well as the learned counsel for the complainant that although the petitioner was given a GPA for the limited purpose of facilitating the construction of a colony, he grossly misused it. Instead of acting within the confines of his authority, the petitioner transferred multiple properties belonging to the complainant party to his other firms without making any payment. As a result, he not only defaulted on the payment due to the complainant party but also usurped properties belonging to them. Learned State counsel has also submitted, on instructions, that the petitioner has a history of defrauding people with several similar complaints received by the police against him.

7. The learned State counsel has also drawn the attention of this Court to the previous criminal antecedents of the petitioner which include his involvement in multiple criminal cases including cases under the NDPS Act and under Section 302 of the IPC. It has been argued that

in view of the petitioner’s previous criminal antecedents, he comes across as a habitual offender, and thus, he is not entitled to the extraordinary concession of anticipatory bail.

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

9. Prima facie, there are serious and specific allegations levelled against the petitioner, of defrauding the complainant of a substantial sum of money, and subsequently, misusing the GPA to transfer the properties belonging to the complainant, to himself. The petitioner’s conduct is not an isolated incident; rather, prima facie he appears to be a habitual offender as is evident from his involvement in numerous other criminal cases. The allegations against him suggest a deliberate and orchestrated conspiracy to defraud the complainant. Hence, in view of the allegations levelled, the petitioner does not deserve to be granted the extraordinary concession of anticipatory bail. The petition 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

September 25, 2024
rps

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