

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-55875-2024 (O&M)
Date of Decision:- 09.12.2024

SUKHWINDER RAM

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Bhupinder Kumar, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case
FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
26	22.05.2024	419, 420, 465, 467, 468, 471 and 120-B IPC	NRI, District Jalandhar

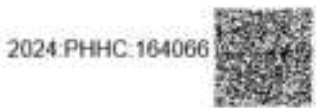
2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that the petitioner had simply attested Bhajan Singh on the basis of his Aadhaar card in the Power of Attorney dated 31.01.2023. He further contends that the petitioner is not the beneficiary of any such transaction nor has done anything wrong, hence prayed for grant of anticipatory bail.



3. *Per contra*, learned State counsel while referring to the status report submitted by State and on instructions from the Investigating Officer of the case present in Court submits that the petitioner had identified one fictitious Bhajan Singh on the said power of attorney dated 31.01.2023, despite knowing the fact that the original Bhajan Singh was not in India on the relevant time and had identified some fictitious person. He submits that the custodial interrogation of the petitioner is required to unearth the *modus operandi* and whereabouts of the person whom he had identified as Bhajan Singh. Hence, prayed for dismissal of the bail petition.

4. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the complaint moved by Bhajan Singh alleging that while he was in United Kingdom, the petitioner along with other co-accused had got a general power of attorney executed by presenting fake and fictitious person as Bhajan Singh.

5. During the course of arguments, copy of the Power of Attorney dated 31.01.2023 has been placed on record. The copy of the passport of complainant has also been perused from the police file, which shows that the complainant was in United Kingdom at the relevant time and returned to India only on 07.02.2023. It is evident that at the relevant time on 31.01.2023, the complainant-Bhajan Singh was not in India and the person whom the petitioner had allegedly identified as Bhajan Singh was certainly a fraudster and fictitious person. The custodial interrogation of the petitioner is required to know the whereabouts and identity of that fictitious person, who had posed as Bhajan Singh at the time of execution of aforesaid Power of



Attorney dated 31.01.2023

6. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

09.12.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |