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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3328-2025 (O&M)
Date of decision: 22.01.2025

Gurpreet Singh @ Gurprit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Navinder Jit Singh Dandiwal, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.246 dated 22.11.2024 under Sections 419, 420, 465, 467, 468, 471, 506, 120-B of the Indian Penal Code, 1860, registered at Police Station City Moga, District Moga.

2. Learned counsel for the petitioner, *inter alia*, contends that registration of FIR (*supra*) is gross misuse of process of law. There is an unjustified and unexplained delay of about 10 years in registration of the

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present FIR, as the alleged incident took place in the year 2014 and the jurisdictional police authorities have not verified the travel history of the complainant to ascertain whether at the time of execution of alleged gift deed in the year 2014, the complainant was in India or not and the dispute is purely civil in nature.

3. *Per contra*, learned State counsel opposes the prayer made by the petitioner on the ground that delay in registration of FIR (*supra*) occurred because the petitioner had been continuously paying the lease amount to the Special Power of Attorney holder of the complainant. Further, there is no reason for execution of the gift deed in favour of the petitioner and even no sale consideration was paid. It has been found during the investigation that the accused in connivance with each other have got the complainant impersonated for getting the gift deed registered on 02.09.2014. The matter is essentially of criminal nature. The petitioner has committed the offence of cheating, fraud and forgery and by using the forged documents to be genuine, he tried to usurp 18 acres of land of an NRI.

4. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the investigation is at the initial stage and custodial interrogation of the petitioner is imperative to conduct proper investigation and unfolding the complete *modus operandi* how the things were planned and also to identify all other persons involved in



the commission of crime.

5. Keeping in view the facts and circumstances of the case and the allegations levelled against the petitioner, this Court finds no ground to grant concession of anticipatory bail to him.
6. Accordingly, present petition is dismissed.

22.01.2025
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[HARPREET SINGH BRAR]
JUDGE

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