



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M No.58646 of 2024

DATE OF DECISION : 20th FEBRUARY, 2025

Jagjit Singh

.... Petitioner

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

* * * *

Present : Mr. Gurminder S. Salana, Advocate for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Sandeep Kumar, Advocate for the complainant.

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MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed by the petitioner under Section 482 BNSS, 2023 seeking the concession of anticipatory bail in case FIR No.82 dated 18.09.2024, under Section 406 IPC registered at Police Station Sadar Rupnagar, District Rupnagar.

2. Learned counsel for the petitioner has contended that the allegations against the petitioner are false and baseless. It is submitted that the petitioner has been implicated in the present case on the allegation that he cheated the complainant by fraudulently transferring her land and usurping the entire sale consideration. However, it is argued by the learned counsel that the petitioner is neither the recipient of the sale consideration nor was he a witness to the execution of the sale deed. Learned counsel has further pointed out that Lehna Singh, who is



allegedly the principal beneficiary of the transaction and the recipient of the sale consideration, has been declared innocent during the course of the Police investigation. It is also submitted that the instant case primarily hinges on documentary evidence, and no recovery is required to effected at the instance of the petitioner. Hence, the petitioner who is willing to join investigation be granted the concession of anticipatory bail.

3. On being put to notice learned State counsel assisted by counsel for the complainant has vehemently opposed the prayer made for the grant of anticipatory bail. It is submitted that the allegations against the petitioner are grave and specific. The petitioner is alleged to have induced his widowed sister (i.e. the complainant) to repose trust in him and thereafter had duped her in collusion with his co-accused, by fraudulently facilitating the transfer of the complainant's land in favour of Lehna Singh. It is further contended that contrary to the claims made by the petitioner, the sale consideration was actually deposited into his bank account, thereby, *prima facie*, establishing his active involvement in the transaction. Learned State counsel has also submitted on instructions that the custodial interrogation of the petitioner is imperative to ascertain the complete trail of money and unravel the larger conspiracy, if any. It is also urged that there is a strong apprehension that the petitioner may abscond if granted the benefit of anticipatory bail.

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



5. The allegations against the petitioner are, *prima facie*, serious in nature, involving fraud and misappropriation of the sale proceeds arising from the transfer of the land belonging to the complainant. The contention that the petitioner had no role in the transaction is *prima facie* contradicted by the fact that the sale consideration was credited to the account of the petitioner. The case, therefore, is not one of mere documentary evidence but requires thorough investigation, particularly in light of the financial transactions involved. The necessity of custodial interrogation, as urged by the learned State counsel, cannot be ignored, especially when the role of the petitioner in inducing the complainant and facilitating the transaction in collusion with the co-accused is under scrutiny.

6. In view of the gravity of the allegations, the financial implications involved and the necessity of custodial interrogation, this court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. Hence the 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.

20th February, 2025
'raj'

(MANJARI NEHRU KAUL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>