

Law Today Live Doc. Id. 15266

PUNJAB AND HARYANA HIGH COURT

Before: Sanjay Kumar, J.

CRM-M-23830-2020 (O&M)

Decided on: 21.08.2020

Gurmeet Singh @ Soni

Petitioner

Versus

State of Punjab

Respondent

Present:

Mr. Rakesh Gupta, Advocate, for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

Indian Penal Code, 1860 (45 of 1860), Section 420, 423, 120-B -- Code of Criminal Procedure, 1973 (2 of 1974), Section 438 -- Cheating by way of registered sale deed -- Attesting witness -- Role of -- Anticipatory bail -- Complainant alleged to be cheated by her niece and her niece's husband in relation to certain immovable property, fraudulently transferred by way of a registered sale deed -- Petitioner was one of the attesting witnesses to the said document -- This being the limited role attributed to him, Court opined that it would suffice if he joins investigation at this stage and co-operates with the police -- Petition allowed and he shall forthwith join investigation and in the event his arrest is warranted in future in relation to this case, the petitioner shall be released on bail.

(Para 2)

Sanjay Kumar, J. (ORAL) –

1. The petitioner is one of the accused in FIR No. 94 dated 09.05.2020, on the file of Police Station Ajnala, Amritsar Rural, registered under Sections 420, 423 and 120-B IPC. By way of this petition, he seeks grant of anticipatory bail.

2. The case of the complainant was that she had been cheated by her niece and her niece's husband in relation to certain immovable property. According to her, her property was fraudulently transferred by way of a registered sale deed. The petitioner herein was one of the attesting witnesses to the said document. This being the limited role attributed to him, this Court is of the opinion that it would suffice if he joins investigation at this stage and co-operates with the police.

3. The petition is accordingly allowed. The petitioner shall forthwith join investigation in FIR No. 94 dated 09.05.2020 on the file of Police Station Ajnala, Amritsar Rural. In the event his arrest is warranted in future in relation to this case, the petitioner shall be released on bail upon furnishing a personal bond for a sum of Rs. 20,000/- along with two sureties for a like sum each to the satisfaction of the Investigating Officer/Arresting Officer concerned. In such an event, the petitioner shall also abide by the conditions prescribed in Section 438(2) Cr. P.C.

Petition allowed.
