

**In the court of Shri Parminder Singh Addl. Sessions Judge,
Hoshiarpur, UID No. PB-0175**

B.A No. 606 of 7.12.2017
CIS No. 2798 of 2017
CNR No. PBH001-007920-2017
Date of order: 6.1.2018.

Amit Jassi aged 36 years son of Sh Gobind Lal Jassi, resident of village Talhan, Tehsil and district Jalandhar.

-Accused-applicant

Versus

State of Punjab

-- Respondent.

FIR No. 46 dated 14.5.2016.
U/s 420, 406 IPC..
Police Station: Hariana, distt. Hoshiarpur.

First application U/s 438 Cr.PC for grant of anticipatory bail

Present: Shri Rohit Joshi advocate for applicant-accused.
Shri Satnam Singh Addl. PP for the State.

ORDER:

1. This order of mine shall dispose of an application filed under section 438 Cr.P.C for grant of anticipatory bail.
2. The present case was registered on the basis of one complaint moved by Harbhajan Singh @ Laddu to SSP Hoshiarpur on the ground that he alongwith Shinda and Kala are doing the business of wood. Said Shinda and Kala showed him one property in village Dhiana Distt. Hoshiarpur alongwith popular trees standing in it and for the cutting of these popular trees a bargain was struck at Rs. 41 lacs out of which Rs. 25

lacs has been received by the accused. When the complainant went to the spot, he came to know that there is no bargain qua the said land and trees, hence the accused have cheated the complainant.

3. The learned counsel for the applicant-accused has contended that the matter has been compromised and the co-accused Raghbir Singh has even been acquitted by the court as well on the basis of compromise.

4. On the other hand, the learned Addl.PP for the State has vehemently opposed the bail application and has contended that the applicant-accused has committed serious offence and if he is released on bail, there is every chance of him hampering the trial by inducing the witnesses. So it was prayed that bail application be dismissed.

5. I have carefully considered the submissions of the parties. Inquiry report has also been on the record and applicant-accused has also been found to be one of the beneficiary of the ill gotten money. The record would show that Rs. 3,75,000/- that has been paid by one of the co-accused and not all of the accused has been prosecuted as they have been left to be arrested as yet. Even the learned trial court while deciding the matter on the basis of compromise only disposed of and decided the case qua accused Raghbir Singh who was prosecuted only and did not give any benefit qua other accused including the present accused as well. So the present accused cannot take benefit of that aspect of the case. His custodial interrogation would be required in the circumstances. So in these

circumstances, this court is of the considered opinion that it is not a fit case where concession of pre-arrest bail can be given to the accused. So, finding no force in the application same is ordered to be dismissed. File be consigned to record room.

Announced:
Dated: 6.1.2018

Kulvinder Singh
Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge
Hoshiarpur
UID No. PB-0175